

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.659 of 2017**

Arising Out of PS.Case No. -17 Year- 2016 Thana -KHAGARIA GRP CASE District- KHAGARIA

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Md. Kare, Son of Md. Mushlin, Resident of Village- Malpa Dhutauli, P.S.  
Chautham, District- Khagaria.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Jai Kishor Poddar, Advocate

For the Opposite Party : Mr. Upendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR**  
**ORAL ORDER**

2      11-01-2017                      Heard the learned counsel for the petitioner and the  
  
learned APP for the State.

Petitioner is languishing in custody since 11.09.2016 in  
connection with Mansi Rail P.S.Case No.17 of 2016 for offence  
alleged under Sections 47(a) of the Excise Act and Sections 272  
and 273 of the IPC.

The allegation against this petitioner is that he was  
apprehended by the police party along with 15 bottles of wine on  
platform while trying to escape from there.

It has been submitted by the learned counsel for the  
petitioner that the petitioner has been apprehended only on  
suspicion. He further submits that the recovery was in public place  
and under coercion the police obtained thumb impression of the



petitioner on a blank paper. He further submits that the petitioner is a student and is preparing for competitive examination. He further submits that the petitioner has remained in custody for more than three months.

However, learned APP for the State submits that the petitioner is named in the FIR, hence opposes the prayer for bail.

In the facts and circumstances of the case, the prayer for bail is allowed.

Let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Khagaria in connection with Sessions Case No.361 of 2016 arising out of Mansi Rail P.S.Case No.17 of 2016.

**(Sanjay Kumar, J)**

B.Kr./-

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