

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25836 of 2017

Arising Out of PS.Case No. -176 Year- 2017 Thana -PURNEA SADAR District- PURNIA

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Ram Babu Sah Son of Jagdish Sah, Resident of Village-Shani Mandir,
Gulab Bagh P.S.-Sadar Dist.-Purnia.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Monika, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner seeks bail in connection with Special Excise
Case No. 492 of 2017, arising out of Sadar P.S. Case No. 176 of
2017 registered for the offence punishable under Sections 272 and
273 of the Indian Penal Code and Sections 30(A)/37(C) of the
Bihar Prohibition and Excise Act.

The prosecution case, as lodged by the police
personnel, is that on a secret information, three persons, including
the petitioner, were found with a yellow colour gallon taking drink
on the road side. Two persons were apprehended and from the
possession of the petitioner one yellow gallon containing four
litres country made wine was recovered. Breath Analyzer Test was



also conducted which depicted smell of alcohol.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and is in custody since 09.04.2017. It has further been submitted that he is a driver of the truck and for not fulfilling the illegal demand, he has been falsely implicated by the police.

However, learned A.P.P. for the State opposes the prayer for bail.

Be that as it may, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Purnia in connection with Special Excise Case No. 492 of 2017, arising out of Sadar P.S. Case No. 176 of 2017.

(Nilu Agrawal, J.)

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