

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 39709 of 2017

Arising Out of PS.Case No. -263 Year- 2017 Thana -BARAUNI District- BEGUSARAI

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Jai Prakash Bhagat son of Indrashan Bhagat, resident of village – Hasanpur,
P.S. – Pipra, District – East Champaran (Motihari)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 19-08-2017 Heard Sri Birendra Kumar, learned counsel assisted
by Sri Ravindra Kumar, learned counsel for the petitioner and
learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since
16-07-2017 in Barauni P.S. Case No. 263 of 2017 registered for
offence under Sections 188, 34 of the Indian Penal Code and
Section 30(a) of Bihar Prohibition and Excise Act, 2016, has
prayed for grant of bail.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated on accusation of recovery of
about 34 liter of Indian make foreign liquor, kept in a bag. It was
submitted by learned counsel for the petitioner that petitioner was
only a passenger and when police arrived and started searching the
vehicle, one of the passenger, who was just sitting besides the



petitioner, fled away and thereafter, the petitioner was arrested on suspicion, as if, petitioner was the owner of the bag containing the liquor. By way of referring to statement made in paragraph – 3 of the petition, it was submitted by learned counsel for the petitioner that petitioner is having clean antecedent.

Considering the nature of accusation, clean antecedent as well as period of custody, let the petitioner namely Jai Prakash Bhagat be enlarged 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 VII cum Special Judge, Excise Act, Begusarai in connection with Barauni P.S. Case No. 263 of 2017.

(Rakesh Kumar, J.)

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