

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59120 of 2017

Arising Out of PS.Case No. -244 Year- 2017 Thana -FALKAHA District- KATI HAR

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1. Birendra Marandi S/o Tbla Marandi, R/o Village- Lulhi Bari Santhali Tola, P.S.- Falka (Pothia), District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-12-2017 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Falka (Pothia) P.S.Case No. 244 of 2017 instituted for the offence punishable under Sections 272, 273 and 290 of the Indian Penal Code and 30 (a) and 37 (b) of the Bihar Excise Prohibition Amendment Act, 2016.

The allegation is regarding recovery of 40 liters of illicit country made wine from the possession of the petitioner.

Learned counsel for the petitioner submits that in fact no recovery has been affected from the conscious possession of the petitioner. It is stated that the petitioner has clean antecedent and he is languishing in custody since 22.08.2017.



Considering the nature of accusation, period of custody undergone and clean antecedent, I deem it fit and appropriate to direct the release of the petitioner. Accordingly, the petitioner is directed to be released on regular 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-II, Exise ACT, Katihar in connection with Falka (Pothia) P.S.Case No. 244 of 2017.

(Mohit Kumar Shah, J)

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