

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39368 of 2017

Arising Out of PS.Case No. -69 Year- 2017 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

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Birendra Ram, s/o Ram Sunder Ram, resident of village -Shripur Belwa
Dih, P.S. -Chauradano , District -East Champaran, Motihari

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 19-08-2017 Heard Sri Sharda Nand Mishra, learned counsel for the
petitioner and learned Additional Public Prosecutor .

The petitioner who is in custody since 03.04.2017 on an
allegation of recovery of about 45 liter of Nepali liquor has
prayed for grant of bail in Chhauradano P.S. Case No. No. 69 of
2017 registered for the offence under section 272, 273 /34 of the
Indian Penal Code 1860 and section 30(A) , 37 (b) of the Bihar
Prohibition & Excise Act, 2016 has prayed for grant of bail.

It was submitted by learned counsel for the petitioner
that petitioner was falsely and illegally apprehended by the Police
on an accusation as if petitioner was among five accused persons
who were seen carrying foreign liquor and along with petitioner
one another person was also apprehended . It was alleged that all
the five persons threw the bags carrying liquor and thereafter it



was noticed that in those bags altogether 45 liters foreign liquor (Nepali liquor) was there. Learned counsel for the petitioner by way of referring to the statement made in paragraph no. 3 of the petition submits that petitioner is having clean antecedent and he has remained in custody sufficiently.

Considering the nature of accusation, clean antecedent as well as period of custody , let the petitioner Birendra Ram be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Raxaul at Motihari / concerned court in connection with Chhauradano P.S. Case No. 69 of 2017.

(Rakesh Kumar, J)

Praful/-

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