

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44205 of 2017

Arising Out of PS.Case No. -123 Year- 2017 Thana -AGAMKUAN District- PATNA

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Mithu Kumar @ Mirtunjay Kumar aged about 31 years, Son of Nathu Yadav @ Nathu Prasad, Resident of Village- Daudbigaha, P.S.- Agamkuan, District- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar

For the Opposite Party/s : Mr. Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-09-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Special Case No. 1265 of 2017, arising out of Agamkuan P.S.Case No. 123 of 2017 registered for the offences punishable under Sections 290/34 of the Indian Penal Code and 30(a) of Bihar Excise Act.

Allegation is of recovery of 37.5 litres of foreign liquor.

Submission of learned counsel for the petitioner is that he has falsely been implicated in this case and nothing has been recovered from his possession and he is in custody since 10.7.2017 having no criminal antecedent.

Heard learned APP also.

Having heard both sides and in view of facts and circumstances, let petitioner, above named, be released on bail on



furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Act, Patna, in connection with Special Case No. 1265 of 2017, arising out of Agamkuan P.S.Case No. 123 of 2017, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,
- (2) Petitioner will co-operate in trial and appear in court on each and every date fixed in the case and on failure to appear without any genuine ground or without permission of court, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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