

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7076 of 2018

Arising Out of PS. Case No.-204 Year-2017 Thana- KALYANPUR District- Samastipur

Hari Ome Rai, Son of Sushil Rai @ Ram Sushil Kumar Yadav, Resident of Village-Malipur (Manorathpur), Police Station-Kalyanpur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad
For the Opposite Party/s : Mr. Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in connection with Kalyanpur P.S. Case no. 204 of 2017 registered under Sections 272, 273 of the Indian Penal Code and Sections 30(a), 38/47 of Bihar Prohibition & Excise Act-2016.

8.640 lts. of foreign liquor is said to have been recovered from Quanto Mahendra vehicle and petitioner was apprehended by giving chase while another accused persons managed to escape.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his conscious physical possession. Petitioner has no concern either with the



aforesaid vehicle or with the seized liquor. As a matter of fact, the petitioner has been falsely implicated in the case as his sister-in-law, Rina Kumari has lodged case against the S.H.O. P.S. Kalyanpur. Petitioner has been languishing in custody since 27.12.2017.

Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Addl. Sessions's Judge 6th -cum-Special Judge, Excise Act, Samastipur in connection with Kalyanpur P.S. Case no. 204 of 2017.

(Prakash Chandra Jaiswal, J)

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