

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35665 of 2018

Arising Out of PS.Case No. -9 Year- 2018 Thana -PATNA GRP CASE District- PATNA

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1. Chotu Kumar @ Chhotu Kumar, Son of Ashok Chaudhary, Resident of Village- Badi Khagaul, Police Station- Danapur, District- Patna at present reside Village- Nisrapura, Khadha, Police Station- Phulwari Sharif, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad
For the Opposite Party/s : Mr. Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 28-06-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 273 & 34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

40 liters of country made liquor is said to have been recovered from the possession of the petitioner boarded in the coach of the train.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern with the seized liquor. He has been falsely implicated in this case by the



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G.R.P. on his failure to cough up the illegal gratification made by them. He has no criminal antecedent and has been languishing in custody since 15.01.2018.

In the facts and circumstances of the case, the above named petitioner is directed to 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 the learned Special Judge Excise, Patna in connection with Special Case No. 363 of 2018 (arising out of Rail P.S. Patna Junction Case No 09 of 2018).

(Prakash Chandra Jaiswal, J)

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