

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59268 of 2017

Arising Out of PS.Case No. -279 Year- 2017 Thana -GANDHIMAIDAN District- PATNA

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Mallu Prasad @ Rajiv Prasad s/o Ramjee Prasad r/o New Atwarpur, P.S. -
Parsabazar, Distt. Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-01-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Special Case No. 1951 of 2017 arising out of Gandhi Maidan P.S.
Case No. 279 of 2017 instituted for the offences under Sections
272, 273/34 of the Indian Penal Code and Section 30(a), 38(i) and
38(2) of the Bihar Excise Amended Act, 2016.

The case of the prosecution is that one cart was found on
the *foot path* on the eastern side of the road near Kargil
collectorate on the alleged date of occurrence and one country
made pistol as well as 30 liters of illicit liquor was recovered.
However except the accused Ravi Keshri, no other accused is said
to have been arrested from the spot.



The learned counsel for the petitioner submits that except the said Ravi Keshri and the petitioner, others have been granted bail by the learned trial court. It is further submitted that the petitioner has a clean antecedent and merely on the disclosure made by the said Ravi Keshri, the petitioner has been implicated falsely in the present case and he is in custody since 12.09.2017.

Considering the nature of accusation, the period of custody already undergone and the fact that the petitioner is having a clean antecedent, I direct the petitioner above named to be released on regular 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 Special Judge, Excise, Patna in connection with Special Case No. 1951 of 2017 arising out of Gandhi Maidan P.S. Case No. 279 of 2017.

(Mohit Kumar Shah, J)

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