

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2178 of 2018

Arising Out of PS.Case No. -389 Year- 2017 Thana -PUPRI District- SITAMARHI

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Kamlesh Chaupal, S/o Laxaman Chaupal @ Laxaman Mandal, Both R/o
Village- Choraut, P.S.- Pupri, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Rajesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 23-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Pupri P.S.
Case no. 389 of 2017 registered under Sections 272, 273, 290 of
the Indian Penal Code and Section 30(a), 37(b), (c), 38, 41 of
Bihar Prohibition and Excise Act-2016.

27 lts. of Nepali wine is said to have been recovered
from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that
no incriminating article has been recovered from his conscious
physical possession. As a matter of fact, the petitioner was going
to local market to fetch vegetable at the time of occurrence where
some unknown persons seeing the police party fled away



dumping the bag near the petitioner and police apprehended the petitioner with the said bag containing liquor merely on suspicion. The petitioner has no criminal antecedent. The petitioner has been languishing in custody since 12.11.2017.

Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-II-cum-Spl. Judge, Sitamarhi in connection with Pupri P.S. Case no. 389 of 2017.

(Prakash Chandra Jaiswal, J)

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