

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19315 of 2018

Arising Out of PS. Case No.-238 Year-2017 Thana- RAGHUNATHPUR District- Siwan

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Sunil Kumar Bin @ Sunil Bin S/o Akshay Lal Bin @ Achchelal Bin resident
of village - Gabhirar Bin Tola, P.S. - Raghunathpur, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey, Advocate

For the Opposite Party/s : Mrs. Pronati Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-04-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

Petitioner is languishing in judicial custody since
30.12.2017 in connection with Raghunathpur P.S. Case No. 238
of 2017 registered for the offence punishable under Sections
272, 273 and 308 of the Indian Penal Code and Sections 30 and
38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that on secret information that petitioner is selling
illicit liquor, police apprehended the petitioner and found 3.24
litres of foreign liquor concealed in a bag from the possession of
the petitioner.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in



the aforesaid case. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Siwan in connection with Raghunathpur P.S. Case No. 238 of 2017, subject to the conditions that:

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(2) It is also made clear that if, in future, petitioner indulges in an offence of similar nature, the prosecution will be at liberty to move the learned Court below for



cancellation of his bail bonds.

(Nilu Agrawal, J.)

Arjun/Ragini

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