

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.135 of 2018

Arising out of PS.Case No. -76 Year- 2017 Thana -KATIHAR (R.T) District- KATIHAR

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Niranjan Mitra @ Durga @ Murgia, Son of Mukund Kumar Mitra @ Mukund Mitra, resident of Mohalla- Teja Tola Sitla Asthan, P.S. Katihar (S), District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Rajendra Singh Shastriji

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-01-2018 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Katihar P.S. Case No. 76 of 2017 instituted for the offences under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

The case of the prosecution is that when the Police had conducted raid in the train compartment, they had apprehended the co-accused person and recovered 103.6 liters of illicit liquor and then the co-accused person disclosed the name of the petitioner as one of the person who used to pick up the liquor upon the same being dropped at the appointed place during the course of the journey by train.

The learned counsel for the petitioner submits that neither any recovery has been effected from the conscious



possession of the petitioner nor he was apprehended from the spot, hence he is innocent. It is further submitted that the petitioner is languishing in custody since 04.09.2017.

Considering the nature of accusation and the period of custody already undergone, I deem it fit and proper to enlarge the petitioner above named 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 Additional District Judge-II-cum-Special Judge (Excise), Katihar in connection with Katihar Rail P.S. Case No. 76 of 2017.

(Mohit Kumar Shah, J)

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