

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62916 of 2017

Arising Out of PS.Case No. -109 Year- 2017 Thana -FULKAHA District- ARRARIA

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BIMAL KUMAR RAM @ BIMAL KUMAR, Son of Late Nageshwar Ram, Resident of Village- Hussainabad, Police Station- Raghapur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Chandra Bhushan Das

For the Opposite Party/s : Mr. Rana Randhir Singh

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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 Fulkaha P.S. Case No. 109 of 2017 / Special Case No. 2911 of 2017 instituted for the offences under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Excise Prohibition Act, 2016.

The case of the prosecution is that one vehicle which was coming from Nepal border had stopped near the police post whereafter several persons came there on cycle and upon seeing the police the said cycle riders abandoned the cycles and ran away. It is further submitted that the persons sitting in the vehicle were also trying to flee away but the petitioner and other persons were apprehended. It is stated that total quantity of 831 litres of illicit



liquor was recovered.

The learned counsel for the petitioner submits that the petitioner was a co-passenger in the vehicle and in fact no recovery has been effected from his conscious possession. It is submitted that the petitioner has a clean antecedent and he is in custody since 13.10.2017.

Considering the nature of accusation, the period of custody already undergone and the fact that the petitioner is having a clean antecedent, 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 2nd Additional Sessions Judge-cum-Special Judge, Araria in connection with Fulkaha P.S. Case No. 109 of 2017 / Special Case No. 2911 of 2017.

(Mohit Kumar Shah, J)

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