

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35463 of 2018

Arising Out of PS.Case No. -171 Year- 2018 Thana -FALKAHA District- KATIHAH

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1. Sintoo Rishi, Son of Kalanand Rishi, Resident of Village- Barari, P.S.- Falka (Pothia), District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 28-06-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 272 & 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

115 liters of toddy is said to have been recovered from the Bakhari More on NH-31 and the petitioner was apprehended in course of escaping while other accused persons managed to escape dumping the aforesaid toddy there.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized toddy or the place of recovery. He has been



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falsely implicated in this case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence and the real culprit managed to escape dumping the aforesaid toddy there. He has no criminal antecedent and has been languishing in custody since 16.05.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II- Katihar, District-Katihar in connection with P.S. Case No. 171 of 2018.

(Prakash Chandra Jaiswal, J)

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