

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70368 of 2018

Arising Out of PS. Case No.-299 Year-2018 Thana- Nanpur District- Sitamarhi

Abnish Kumar @ Chunnu @ Chunnu Kumar, Son of Vijay Thakur @ Vijay Kumar Thakur, Resident of Village- Hardiya, Police Station- Pupri, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Pushpendra Kumar Singh

For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 03-12-2018 Heard Sri Pushpendra Kumar Singh, learned counsel
for the petitioner and learned Additional Public Prosecutor.

The sole petitioner who is in custody since 16.09.2018 has prayed for grant of bail in connection with Nanpur P.S. Case No. 299 of 2018 registered for the offence under Sections 272, 273, 34 of the Indian Penal Code, 1860 and Section 30 (a) of the Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner at the very outset has drawn my attention to the statement made in paragraph - 3 of the petition to show that petitioner is having clean antecedent. He further submits that petitioner in the present case has falsely been made accused as if he was moving on a motorcycle carrying about 16.2 liters of foreign liquor and moving as a



pillion rider on the motorcycle with an another co-accused however the person who was driving the motorcycle after seeing Police fled away and petitioner was arrested. It has been argued that petitioner was not having any connection with the seized liquor. He was only a passer -by and since the main accused fled away he was arrayed as accused in the present case.

Be that as it may, considering the nature of accusation, clean antecedent of the petitioner as wall as period of custody, let the petitioner Abnish Kumar @ Chunnu @ Chunnu Kumar 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 learned ADJ II cum Special Judge, Excise Act, Sitamarhi / concerned court in connection with Nanpur P.S. Case No. 299 of 2018.

(Rakesh Kumar, J)

praful/-

U		T	
---	--	---	--

