

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26379 of 2019

Arising Out of PS. Case No.-77 Year-2018 Thana- NAUTAN District- Siwan

RAJNISH SAH son of Jaiprakash Gond @ Gaiprakash Sah, Resident of village Shahpur, P.s. Nautan, District Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-07-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Nautan P.S.Case No.77 of 2018 , registered for offences punishable under Sections 272, 273, 308/34 of the Indian Penal Code and Sections 30(A), 38A, 41(1) of Bihar Prohibition and Excise Act, 2016..

Prosecution story is that the police received information that co-accused persons are engaged in the trade of liquor and the petitioner used to supply the same and further the police received information that the same was kept in the orchard of Khedan Sah and Ratinath Sharma and from there 135 ltrs. of liquor have been recovered. Petitioner is named in the FIR and apart from that he is accused in one more case.



Submission of the learned counsel for the petitioner is that he has falsely been implicated in this case without any recovery from his house or from his possession and there is absolutely nothing against the petitioner.

Heard learned A.P.P. , who has opposed the prayer for bail on the ground that he has criminal antecedent ..

Having heard both sides and considering the above fact that the recovery is from the orchard of other accused persons, as such, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge-II-cum-Special Judge (Excise), Siwan in connection with Nautan P.S.Case No.77 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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