

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26413 of 2015

Arising Out of PS.Case No. -27 Year- 2014 Thana -KANGALI District-
WESTCHAMPARAN(BETTIAH)

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1. Shiv Shankar Sharma @ Shankar Sharma S/o Bishwanath Sharma, R/o
Village - Dhobiya Tola, Kheshraha, P.S.- Pokhariya, District- Parsa, Nepal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shri Krishna Sinha

For the Opposite Party/s : Mr. Pronati Singh (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 272, 273, 414 of the Indian Penal Code
and Section 47 (A) of the Excise Act.

The prosecution case, in short, is that the informant,
Jitendra Kumar Suman, S.H.O. of Kangali Police Station received
a secret information about manufacturing of illegal country made
liquor. On such information, he along with police force reached
near the P.O. and on seeing the police jeep some people started to
flee away from there. On enquiry it was found that the petitioner is
the owner of the alleged Bhatti and on search 35 litres of country
made liquor and six feet long railway line were recovered.

On behalf of the petitioner, it is submitted that the petitioner has been made accused due to mistake of fact. In fact, the petitioner has no concern with the alleged occurrence. It is further submitted that the petitioner has got no criminal antecedent.

On behalf of the State, it is submitted that the petitioner is named in the first information report.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender in the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri D.K. Bhashkar, Judicial Magistrate, Ist Class, West Champaran, Bettiah in connection with Kangali P.S. Case No. 27 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Sudhir Singh, J)

V.P.Sinha/-

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