

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45709 of 2015

Arising Out of PS.Case No. -171 Year- 2014 Thana -BARURAJ District- MUZAFFARPUR

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Awadh Chaudhary Son of Late Ramjanam Chaudhary (Father's name wrongly mentioned in the F.I.R. as Kamal Chaudhary who is brother of the Petitioner) resident of village - Visunpur Horil, P.S. Haruraj, District - Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Nand Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-11-2015 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 272 and 273 of the Indian Penal Code and 47A of the Excise Act.

Allegation against the petitioner is that he was preparing and doing business of illicit liquor. On raid by the police, materials regarding preparation of liquor were recovered from his house and from the side of the petitioner no valid papers with regard to those seized articles could be produced.

It has been submitted on behalf of the petitioner that he has got no criminal antecedent. He is in custody since 30.6.2015. Chargesheet has been submitted in the present case. There is no allegation of tampering of evidence against the petitioner. F.I.R. was instituted on 23.11.2014 but the same was sent to the court of Chief Judicial Magistrate, Muzaffarpur, on 28.11.2014. No explanation has been made on behalf of the prosecution in respect

to that delay in sending the F.I.R. in the court. Petitioner has falsely been implicated in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of Sri V. K. Chardhary, Judicial Magistrate, Ist Class, Muzaffarpur, in connection with Baruraj P.S. Case no. 171 of 2014.

(Sudhir Singh, J)

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