

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.29013 of 2016**

Arising Out of PS.Case No. -60 Year- 2016 Thana -AMAUR District- PURNIA

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Md. Jasim son of Md Habibpur Rahman, resident of village- Rangariya,  
Police Station Amour, District- Purnia.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vikram Singh, Advocate

For the Opposite Party/s : Mr. Umeshnand Pandit, APP

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      01-09-2016                      Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 272, 273 of the I.P.C. and Section 47(a) of the Bihar Excise Act.

The prosecution story, in brief, is that on the alleged date and time of occurrence the informant along with other police personnel were on patrolling duty, a Alfa Mahindra tempo bearing No.BR-11T-9338 loaded with several plastic big gallon was going towards south, which was intercepted on suspicion and from which 4-5 persons started fleeing and tempo driver was apprehended, who disclosed his name as Md. Jasim i.e. the petitioner and the police searched the tempo and recovered 22 gallons of toddy, each of 40 liters and seized the same.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 10.5.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. There is no compliance of Section 100 of the Cr.P.C.

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

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named 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 learned Chief Judicial Magistrate, Purnia in connection with Amour P.S. case No.60 of 2016.

**(Sudhir Singh, J)**

Narendra/-

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