

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31006 of 2016

Arising Out of PS.Case No. -273 Year- 2016 Thana -SHERGHATI District- GAYA

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Santosh Kushwaha @ Santosh Kushawa Son of Brajnandan Singh, Resident of Village- Gewal Bigha, at Baulipur, Near Munni Masjid , P.S Civil Lines, District Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sourendra Pandey, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar -2, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-09-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 272, 273, 414 of the I.P.C. and Section 47(A) of the Excise Act.

The prosecution story, in brief, is that on the alleged date and time of occurrence during patrolling the informant along with other police personnel encountered a person, who was travelling on a motorcycle and was carrying a huge bag at village Bahre. The said person tried to fee seeing the police party but was chased and apprehended. On search of the bag, foreign liquor of various brands was recovered and a seizure list was prepared.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.6.2016 and the charge sheet

has been submitted in the present case. The petitioner has got no criminal antecedent. 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 the learned Chief Judicial Magistrate, Gaya in connection with Sherghati P.S. case No.273 of 2016.

(Sudhir Singh, J)

Narendra/-

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