

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30966 of 2016

Arising Out of PS.Case No. -62 Year- 2016 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

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Chandrika Mahto Son of Late Sinhasan Mahto, Resident of Village-
Machhargawan, P.S.- Kotwa, District- East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, 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 of the I.P.C. and Sections 47(a), 53(c), 54 of the Excise Act.

The prosecution story, in brief, is that on 8.5.2016 during course of patrolling after receiving confidential information, a raid was conducted at the house of the petitioner at village Machhargawan by the informant along with other police personnel and after search 30 liters Tari in three gallon as well as 20 liters illicit spirit and other materials were recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 9.5.2016 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 learned A.C.J.M. X, Motihari, East Champaran in connection with Kotwa P.S. case No.62 of 2016.

(Sudhir Singh, J)

Narendra/-

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