

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30641 of 2016

Arising Out of PS.Case No. -155 Year- 2016 Thana -SHEKHPURA District- SEKHPURA

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Krishna Kanhaiya Kumar Son of Baleshwar Prasad Singh Resident of
village- Delahwa, P.S.- Barbigha (Kewati), District- Sheikhpura

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Awadhesh Kumar Mishra, Advocate.

For the Opposite Party : Mr.Uma Shankar Prasad Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody in connection
with Sheikhpura P.S. Case No. 155 of 2016 for the offence
instituted under Section 47(A) of the Excise Act.

The prosecution case, in brief, is that 52.020 litres of
foreign liquor are said to have been recovered from the possession
of the petitioner.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 06.06.2016. 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. The recovery of foreign wine has been denied by the petitioner. No compliance of Section 100 of the Cr.P.C.

On behalf of the state it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let 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, Sheikhpura, in connection with Sheikhpura P.S. Case No. 155 of 2016.

(Sudhir Singh, J.)

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