

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28664 of 2016

Arising Out of PS.Case No. -33 Year- 2016 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

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Sallauddin son of Sk. Juman resident of village-Kushmahwa, P.S. Dhaka,
District-East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Sri Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-08-2016 Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 28.04.2016 in connection with Kundwachainpur P.S. Case No. 33 of 2016 registered for offence under Section 47 of the Bihar Excise Act.

The prosecution case, in brief, is that on 27.04.2016 during the course of raiding informant along with police personnel reached at Baluwa Gubabari village and then after seeing police force two persons started fleeing away, but they were apprehended by police force. On query in presence of independent witnesses they disclosed their names as co-accused Sikindra Paswan and the petitioner Sallauddin, and on search 10 bottles each containing 300 M.l of illicit country made liquor kept in a plastic bag were recovered from the possession of co-accused Sikindra Paswan, and 13 bottles each containing 30 m.l.

of illicit country made liquor kept in a plastic bag were recovered from the possession of the petitioner Sallauddin and thereafter seizure list was prepared.

On behalf of the petitioner, it is submitted that the petitioner is in custody since 28.04.2016. Charge-sheet has been submitted in the present case. There is no allegation of tempering of witnesses alleged against the petitioner. He has been made accused in the present case due to mistake of fact. Other co-accused has been granted bail vide Cr. Misc. No. 32623 of 2016.

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 Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran in connection with Kundwachainpur P.S. Case No. 33 of 2016.

(Sudhir Singh, J)

Prakash/-

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