

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29365 of 2016

Arising Out of PS.Case No. -94 Year- 2016 Thana -MAJORGANJ District- SITAMARHI

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Reyaz Ahmad son of Tashid Mansoori resident of Village- Dumri Khurd,
P.S.- Majorganj, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-09-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 272 and 273 of the Indian Penal Code and 47 of the Excise Act.

Allegation against the petitioner is that he was apprehended with country made wine bottles carrying in bags. On query, it is disclosed that wine bottles were purchased in Nepal in order to sell at a higher price in India.

It has been submitted on behalf of the petitioner that he is in custody since 29.4.2016. Chargesheet has been submitted against the petitioner. Petitioner has got no criminal antecedent. No allegation of tampering of witnesses is alleged against the petitioner. Petitioner has been made accused due to mistake of fact. The recovery of country made wine from the petitioner has been denied. There is no compliance of Section 100 of the Code of Criminal Procedure.

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

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond

of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Sitamarhi, in connection with Majorganj P.S. Case no. 94 of 2016,

(Sudhir Singh, J)

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