

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26110 of 2016**

Arising Out of PS.Case No. -72 Year- 2016 Thana -NAWADA MUFFASIL District- NAWADA

1. Sanjeet Kumar Son of Ram Naresh Prasad Resident of Village- Deoki Bigha, P.S.- Muffasil, District- Nawada.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Sri Zainul Abedin

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3 18-08-2016

Heard learned counsel for the petitioner and the State.

The petitioner is in custody in a case registered under Sections 47, 49 and 57 of Bihar Excise (Amendment) Act, 2016.

It is alleged against the petitioner that on search of the house of the petitioner 96 bottles of different brand of whisky have been recovered from the bedroom of the petitioner.

It is submitted on behalf of the petitioner that the petitioner is in custody since 24.04.2016. Charge sheet has been submitted in this case. There is no allegation of tampering with the evidence against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. The alleged recovery is said to have been recovered from joint family house. The petitioner has relied on the order dated 26.05.2016 passed in

Cr. W.J.C.No. 533 of 2016 (Ram Sumir Sharma-v- The Sate of Bihar & ors.)

On behalf of the State, it is submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances of the case, let, above named petitioner, 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 C.J.M., Nawadah in connection with Muffasil P.S.Case No. 72 of 2016.

(Sudhir Singh, J)

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