

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44353 of 2016

Arising Out of PS.Case No. -113 Year- 2016 Thana -BAUSI District- PURNIA

Saroj Kumar Sharma, Son of Deo Narayan Sharma, Resident of Village-Patwa (Sapha), P.S.- Sour Bazar, District- Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Subesh Sharma

For the Opposite Party : Mr. Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-10-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case instituted under Section 273 of the Indian Penal Code and Section 47(a) of Bihar Excise Amendment Act, 2016.

The prosecution case, in brief, is that 242 litres of foreign wine along with one mobile 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 23.07.2016. 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. 242 litres of wine is said

to have been recovered from the possession of the petitioner. The said recovery is denied by the petitioner. There is 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 A.C.J.M.-cum-Sub Judge-II, Purnea, in connection with Baisi P.S. Case No. 113 of 2016.

(Sudhir Singh, J.)

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