

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51973 of 2016

Arising Out of PS.Case No. -114 Year- 2016 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. Biresh Kumar Singh Son of Bipin Bihari Singh, resident Village
Gajpura, P.S. Muffasil, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Harendra Prasad

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-12-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is languishing in custody since
19.08.2016 in connection with Pakridayal P.S. Case No. 114/16 for
offences punishable under Sections 272, 273 of the Indian Penal
Code and under Sections 47, 51, 52, 53 and 54 of Bihar Excise
(Amendment) Act, 2016.

It has been submitted by the learned counsel for the
petitioner that he is innocent and he has no criminal history. He has
falsely been implicated in the aforesaid case. He is neither the owner
of the construction company nor the liquor supplier and just because
he is the Munsif of the company, he has been falsely implicated in the
case. Charge-sheet has already been submitted against the petitioner.



Hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State submits that being the Munsif of construction company, the petitioner is equally liable and also named in the FIR, hence, opposes the prayer for bail.

Be that as it may, since the petitioner has no criminal history and charge-sheet has already been submitted, let petitioner, above named, be enlarged 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 Additional Chief Judicial Magistrate V, Motihari, in connection with Pakridayal P.S. Case No. 114/2016, subject to the condition that the petitioner will appear before the court on each and every date. On failure to appear on two consecutive dates without assigning any reason will be liable for cancellation of his bail bond.

(Nilu Agrawal, J.)

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