

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29086 of 2016

Arising Out of PS.Case No. -39 Year- 2016 Thana -TATARPUR District- BHAGALPUR

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Abhishek Kumar Jha @ Raju Jha, S/o Sudhir Jha, resident of village Hajipur, P.S. Sajour, District Bhagalpur, at present tenant in house of Santosh Choudhary, Mohalla Upper Gangti (Mourya Nagar Colony), P.S. Habibpur, District Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 01-09-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 47, 51 and 52 of the Excise Act.

The prosecution case, in short, is that on confidential information the informant along with other police personnel came at the premises of the accused persons including the petitioner and recovered huge quantity of foreign and country made liquor from their possession.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 1.4.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. The

recovery of foreign liquor is denied by the petitioner. There is no compliance of Section 100 of the Cr.P.C. The other co-accused have been granted bail vide Cr.Misc.No.26872 of 2016.

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

Considering the aforesaid facts and circumstances, it is directed that 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 Additional Sessions Judge IV, Bhagalpur in connection with Sessions Trial No.348 of 2016 arising out of Tatarpur P.S. case No.39 of 2016.

(Sudhir Singh, J)

Narendra/-

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