

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50050 of 2016

Arising Out of PS.Case No. -74 Year- 2016 Thana -KANHAULI District- SITAMARHI

Sikandar Rai son of Sukhal Rai, resident of village-Bagaha, P.S.-Kanhauli,
District-Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-11-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 272 and 273 of the Indian Penal Code and under Sections 47/51 of the Bihar Excise (Amendment) Act, 2016.

Allegation against petitioner is that during checking Nepali wine was recovered from his possession.

It is submitted on behalf of petitioner that he has got no criminal antecedent. No allegation of tampering of witnesses is alleged against petitioner. Petitioner has been made accused due to mistake of fact. Three litres of Nepali wine is said to have been recovered from possession of petitioner. No compliance has been made under 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, in the event of his/her arrest or surrender in the court below within a period of six weeks, 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

Chief Judicial Magistrate, Sitamarhi, in connection with Kanhauli P.S. Case no. 74 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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