

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54356 of 2016

Arising Out of PS.Case No. -96 Year- 2016 Thana -PHULWARIA District- GOPALGANJ

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Dipu Rai @ Deepu Rai @ Vikash Kumar Rai son of Verma Rai alia
Brahma Rai Resident of village - Balepur, Police Station - Fulwaria
(Shripur O.P.), District - Gopalganj.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Lokesh Kumar Singh, Advocate.

For the Opposite Party : Mr. Ajay Kumar Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Fulwaria (Shripur O.P.) P.S. Case No. 96 of 2016 for the
offences instituted under Sections 272, 273, 420/34 of the IPC,
47(a) and 47(g) of the Bihar Excise (Amendment) Act,2016.

The prosecution story, in brief, is that the informant
chased two persons. One Mansaf Mian was caught and another
person fled away and from his wooden shop, 104 bottles
containing 200 ML each illicit country made liquor was recovered.
Mansaf Mian disclosed the name of the fleeing person as this
petitioner.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case. 104 bottles containing 200 ML. each illicit country made liquor is said to have been recovered. The same has not been recovered from conscious possession of this petitioner. There is no compliance of Section 100 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 in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Fulwaria (Shripur O.P.) P.S. Case No. 96/2016 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.-XIII, Gopalganj, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

