

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48673 of 2016

Arising Out of PS.Case No. -96 Year- 2016 Thana -AMAUR District- PURNIA

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1. Nasib Lal @ Kanha Harijan son of Late Bokai Harijan R/o Village -
Dalmalpur Purab Tola, P.S. - Amour, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner is apprehending his arrest in a case registered for
offences punishable under Section 273 of the Indian Penal Code
and Section 47(a) of Bihar Excise Amendment Act, 2016.

Allegation is of recovery of 4 ½ litres of country made
liquor from the possession of the petitioner.

It has been submitted on behalf of the petitioner that there
is no compliance of Section 100 of Cr.P.C. and petitioner has been
falsely implicated in the present case.

Heard learned A.P.P. also.

Heard both sides and in view of the fact and circumstances
of the case, the petitioner is directed to surrender before the Court



below and seek for regular bail. The Court below will consider this aspect of the matter that only 4 ½ litres of country made liquor has been recovered and there is no compliance of Section 100 of Cr.P.C and after considering all these aspects, the Court below shall dispose of the matter on the same day, without being prejudiced by this order.

With the above observation, this application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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