

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23978 of 2016

Arising Out of PS.Case No. -108 Year- 2016 Thana -KOILWAR District- BHOJPUR

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1. Binod Kumar Sah @ Binod Prasad Sah S/o Sheo Jee Sah, resident of village- New Baiju Tola, P.S. Bairian, Dist.- Balian (U.P.), at present Resident of vill.- Gidha, P.S.- Koilwar, District- Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Ram Priya Sharan SinghApp)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 14-07-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner was caught on the place of occurrence but submission on behalf of the petitioner is that according to the prosecution case itself, the illegal Bhatti was being run by co-accused Vijay Kumar Singh and, therefore, at best, it can be said that petitioner had gone to take liquor at the Bhatti of the aforesaid co-accused Vijay Kumar Singh. It is further submitted that petitioner does not have any criminal antecedent and the New Excise Amendment Act 2016 is not applicable against the petitioner in this case.

Accordingly, let the petitioner, above named, be

released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhojpur at Ara in connection with Koilwar P.S.Case No. 108 of 2016.

(Hemant Kumar Srivastava, J)

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