

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10975 of 2016

Arising Out of PS.Case No. -137 Year- 2015 Thana -AURAI District- MUZAFFARPUR

Sajeevan Sahani Son of Late Jodhan Sahani Resident of village - Malahi
Bosi, Police Station - Aurai, District - Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Gajanan Arun, Advocate

For the Opposite Party : Mr. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-04-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Aurai P.S. Case No. 137 of 2015 for the offences instituted
under Sections 272 and 273 of the Indian Penal Code and Section
47(A) of the Excise Act.

As per the prosecution, the informant received
confidential information that at Bhairab Asthan in Fushat illegal
liquor is being sold out and on this information Bhairab Asthan
saw a man fleeing away from the place of occurrence and
recovered some country made liquor from the possession of the
petitioner.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. Petitioner has been

made accused due to mistake of fact. No compliance of Section 100 of the Cr.P.C. has been followed. It is further submitted that the petitioner is ready to deposit an amount of Rs.15,000/- in the court below which shall be subject to the final disposal of the case.

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, it is directed that the petitioner shall deposit an amount of Rs.15,000/- in the court below which shall be subject to the final disposal of the case and on doing so, 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 Aurai P.S. Case No. 137 of 2015 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Jawed Alam, Judicial Magistrate, Ist Class, Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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