

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29969 of 2016

Arising Out of PS.Case No. -122 Year- 2016 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Jaimangal Raut, Son of Late Sukhdeo Raut,
 2. Sunil Raut, son of Late Jaimangal Raut,
 3. Anil Raut, Son of Jaimangal Raut, All resident of village Manjharia, PS Kesaria, District East Champaran

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Anita Kumari, Advocate.

For the Opposite Party : Mr. Sri Gajendra Prasad Yadav (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-09-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are languishing in custody in connection with Kesaria P.S. Case No. 122 of 2016 for the offences instituted under Sections 272, 273, 290 of the Indian Penal Code and Section 47A of the Excise Act.

During raid made by the informant, eight jerkins each containing 40 litres of country made raw spirit are said to have been recovered from the house of the petitioners.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 08.05.2016. The charge sheet has been submitted in the present case. The petitioners have got no

criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The alleged recovery of spirit from the possession of the petitioners is denied. There is no compliance of section 100 of the 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 petitioners above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari, in connection with Kesaria P.S. Case No. 122 of 2016.

(Sudhir Singh, J.)

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