

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28697 of 2016

Arising Out of PS.Case No. -163 Year- 2016 Thana -MASRAKH District- SARAN

Tarkeshwar Nut @ Kariyawa Nut @ Tarkeshwar Nut Kariwa Son of Bhola Nut, Resident of Village- East Tola Masrakh, P.S.- Masrakh, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate.

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-08-2016 Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 21.05.2016 in connection with Mashrakh P.S. Case No. 163 of 2016 registered for offence under Section 47 of Bihar Excise Act.

The prosecution case, in brief, is that the petitioner was involved in illicit trade of country made liquor and on raid petitioner was arrested and 48 pieces of sealed box of country made liquor each of 200 m.l. were recovered from the house of the petitioner by the police and accordingly, a seizure list was prepared.

On behalf of the petitioner, it is submitted that the petitioner is in custody since 21.05.2016. Charge-sheet has been submitted in the present case. There is no allegation of tempering

of witnesses alleged against the petitioner. He has been made accused in the present case due to mistake of fact. 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 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Mashrakh P.S. Case No. 163 of 2016.

(Sudhir Singh, J)

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