

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26606 of 2016

Arising Out of PS.Case No. -132 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
SAHARSA

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Ramesh Sah Son of Nirmal Sah, Resident of Village- Gaya Bhagat Chowk,
Ward No.11, Golma, Police Station- Saur Bazar (O.P. Patarghat), District-
Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh, Advocate

For the Opposite Party/s : Mr. Arbind Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 31-08-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Section 47A of the Bihar Excise (Amendment) Act, 2016.

The prosecution case, in short, is that the informant, who is an Excise Police Officer, along with police personnel under the direction of Headquarter Excise, Saharsa raided the place of occurrence and recovered and seized three liters of foreign liquor and 24 liters of country made liquor and seizure list was prepared and the petitioner was apprehended.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.4.2016 and the charge sheet

has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. He has been made accused due to mistake of fact. The recovery of foreign and country made liquor is denied by the petitioner. There is no compliance of Section 100 of the Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that 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 Sri S.K. Singh, learned Judicial Magistrate, 1st class, Saharsa in connection with Misc. Case No.132 of 2016.

(Sudhir Singh, J)

Narendra/-

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