

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50833 of 2016

Arising Out of PS.Case No. -100 Year- 2016 Thana -KASIMBAZAR District- MUNGER

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Chhotu Sharma @ Aditya Kumar, S/o Late Chandradeo Sharma, resident of
village- Hasanganj, Police Station- Kasim Bazar, District- Munger

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan, Advocate

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-11-2016 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner is languishing in judicial custody since 29.07.2016 in connection with Kasim Bazar P.S. Case No. 100 of 2016 for the offences alleged under Sections 47 of the Bihar Excise (Amendment) Act, 2016.

The prosecution case is that on secret information, the police party raided the dilapidated house of the petitioner and found two other accused persons, who escaped. Petitioner was apprehended and 60 liters of foreign liquor was recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that petitioner has no criminal antecedent and the house of the petitioner was a dilapidated house and he has no concern with the incriminating articles so seized by the police. It has further been submitted that no recovery has been

made from the conscious possession of the petitioner and charge-sheet has been submitted, hence, there is no chance of tampering with the evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence opposes the prayer for bail.

Be that as it may, since the charge-sheet has already been submitted, let the above named petitioner 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 learned Chief Judicial Magistrate, Munger in connection with Kasim Bazar P. S. Case No. 100 of 2016.

(Nilu Agrawal, J)

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