

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26489 of 2016

Arising Out of PS.Case No. -68 Year- 2016 Thana -SURSAND District- SITAMARHI

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Ratnesh Kumar Son of Ram Prakash Rai, R/o village + P.O. Diwari, P.S.
Sursand, District - Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-08-2016

The petitioner is permitted to make necessary correction in Paragraph 3 of the petition in light of the Supplementary Affidavit.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case instituted for the offences instituted under Sections 372, 273 of the I.P.C. and Sections 47/53(B) of the Excise Act.

The prosecution story, in brief, is that on the alleged date and time of occurrence the informant got information that two persons are coming from Nepal with illegal liquor and after entering into the Station Diary the informant along with other police officials proceeded in village Bhatta and near the house of one Binod Safi he saw two persons, who were coming on motorcycle, and stopped them and in presence of witnesses they

searched the motorcycle and found 30 pieces of Nepali wine wrapped with gamchha each containing 300 ml. On query they disclosed their name as Ratnesh Kumar i.e. the petitioner and one Manoj Kumar.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.4.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Wine is said to have been recovered from his possession. The petitioner has relied on the order dated 26.05.2016 passed in Cr.W.J.C. No.533 of 2016.

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 Chief Judicial Magistrate, Sitamarhi in connection with Sursand P.S. case No.68 of 2016.

(Sudhir Singh, J)

Narendra/-

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