

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30677 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

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Tara Chandra Choudhary @ Tara Chand Chaudhary Son of Nathu Mahto
Resident of village- Inarwa, P.S.- Ramgarhwa, District- East Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sunil Kumar No.III, Advocate.

For the Opposite Party : Mr. Sanjay Kumar Tiwary (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody in connection
with Ramgahwa P.S. Case No. 26 of 2016 for the offences
instituted under Sections 272, 273 of the Indian Penal Code and
Sections 47, 51 and 54 of the Excise Amendment Act, 2016.

The prosecution story, in brief, is that a raid was
conducted by the informant in the shop of the petitioner and
recovered huge quantity of country made illicit liquor.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 01.05.2016. The charge sheet has
been submitted in the present case. The petitioner has got no
criminal antecedent. There is no allegation of tampering of

witnesses alleged against the petitioner. The alleged recovery is denied by the petitioner. He has been made accused due to mistake of fact. 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 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 Sub-Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran, in connection with Ramgahwa P.S. Case No. 26 of 2016.

(Sudhir Singh, J.)

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