

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10932 of 2016

Arising Out of PS.Case No. -9 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Prince Kumar @ Mithai Lal S/o Madan Prasad Resident of Village- Semra
Bajar , P.s Turkaulia Distt East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Kumar Pandey, Advocate
For the Opposite Party : Mr. M.K.Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-04-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Turkaulia P.S. Case No. 09 of 2016 for the offences instituted
under Sections 272 and 273 of the Indian Penal Code and Section
47A of the Excise Act.

As per the prosecution case, the informant got
information that one Sandeep Kumar had kept illegal liquor at his
home, the informant along with police personnel made raid at the
house of one Sandeep Kumar, however, he fled away and
recovered spirit about 1200 liters from the possession of the
accused persons.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. Petitioner has been

made accused due to mistake of fact. There is no recovery from the conscious possession of the petitioner. Petitioner has been made accused merely on the basis of suspicion. It is further submitted that the petitioner is ready to deposit an amount of Rs.20,000/- in the court below which shall be subject to the final disposal of the case.

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, it is directed that the petitioner shall deposit an amount of Rs.20,000/- in the court below which shall be subject to the final disposal of the case and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with **Turkaulia P.S. Case No. 09 of 2016** on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned **CJM, Motihari**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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