

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28691 of 2016

Arising Out of PS.Case No. -39 Year- 2016 Thana -PIRI BAZAR District- LAKHISARAI

=====

Mahesh Paswan Son of Sri Kanhai Paswan Resident of Village- Khaira,
P.S.- Piri Bazar, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ambika Bhagat, Advocate
For the Opposite Party/s : Mr. Sri Nityanand Tiwary, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-08-2016 Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 19.05.2016 in connection with Piri Bazar P.S. Case No. 39 of 2016 registered for offence under Sections 272, 273 and 290 of the Indian Penal Code and Sections 47(a), 52, 53(a) (c) of Bihar Excise Act.

The prosecution case, in brief, is that the petitioner was involved in illicit trade of Mahua liquor and on raid 14 liters of country made Mahua wine was seized from the house of the petitioner by the police and accordingly, a seizure list was prepared and the petitioner was arrested.

On behalf of the petitioner, it is submitted that the petitioner is in custody since 19.05.2016. Charge-sheet has been submitted in the present case. There is no allegation of tempering

of witnesses alleged against the petitioner. He has been made accused in the present case due to mistake of fact. There is no compliance of Section 100 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, Lakhisarai in connection with Piri bazaar P.S. Case No. 39 of 2016.

(Sudhir Singh, J)

Prakash/-

U		T	
---	--	---	--