

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53027 of 2016

Arising Out of PS.Case No. -61 Year- 2016 Thana -DARIHAT District- SASARAM (ROHTAS)

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1. Mahendra Prasad S/o Late Rambnath Sah, Resident of Village- Darihat,
P.S. Darihat, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in judicial custody since 24.10.2016
in connection with Darihat P.S.Case No. 61 of 2016 for the
alleged offence under Sections 272 and 273 of the Indian Penal
Code and Section 30(A) of Bihar Excise Act.

The prosecution case, as lodged by the police
personnel, is that during course of checking, the petitioner was
apprehended with 60 bottles of country made wine. Accordingly,
a seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has falsely been implicated in the
aforesaid case and that the petitioner has no criminal history of the



similar kind of offence as in one case, which is pending of different offence, he is on bail. It has further been submitted that the seizure list has not been prepared in accordance with Section 100 Cr.P.C. as the seizure list was prepared in market place but bear police case number which creates serious doubt.

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

Considering the facts and circumstances of the case and submissions of the parties, let above named petitioner be enlarged 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 Judicial Magistrate, 1st Class, Dehri-on-Sone, District- Rohtas(Sasaram) in Darihat P.S.Case No. 61 of 2016.

(Nilu Agrawal, J)

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