

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30416 of 2016

Arising Out of PS.Case No. -48 Year- 2016 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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Indrasan Sah S/o Late Shankar Sah, R/o village Jhakhara Bazar, PS.
Jagdishpur (Nautan), District- West Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajeshwar Singh, Advocate.

For the Opposite Party : Mr. Sri Akhileshwar Dayal (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is languishing in custody in connection
with Nautan (Jagdishpur) P.S. Case No. 48 of 2016 for the
offences instituted under Sections 467, 468, 471, 420, 307, 120-B,
414, 272, 273 of the Indian Penal Code and Section 47(A) of the
Excise Act.

Total 2755 litres of illicit country made liquor as well
as foreign liquor are said to have been recovered from the
possession of the petitioner.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 05.03.2014. 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 been made accused due to mistake of fact. The place of recovery of the country made wine does not belong to the petitioner. There is no compliance of Section 100 of the Cr.P.C. It is further submitted that the petitioner may be released after completion of six months in custody i.e. from 19.04.2016.

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, after completion of six months in custody i.e. from 19.04.2016, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah (West Champaran), in connection with Nautan (Jagdishpur) P.S. Case No. 48 of 2016.

(Sudhir Singh, J.)

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