

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1068 of 2017

Arising Out of PS.Case No. -116 Year- 2016 Thana -GUTHNI District- SIWAN

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Shailesh Nishad, Son of Radhey Shyam Nishad, resident of Village- Eka Bazar, Police Station- Belipar, District- Gorakhpur(Uttar Pradesh).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Tiwary, Advocate.

For the Opposite Party : Mr. Shyam Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-02-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 21.09.2016 in connection with Guthani P.S. Case No. 116 of 2016 for the offences instituted under Sections 272, 273, 308 of the IPC, 47 and 57 of the Excise Act, 2016.

The prosecution story, in brief, is that on search made by the police, 252 liters of foreign liquor was recovered from the dickey of the vehicle on which the petitioner and other was sitting.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.09.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has



got no criminal antecedent. He has falsely been implicated in the present case. Altogether 252 liters of country/foreign made liquor was recovered from the vehicle on which the petitioner and other was sitting. No compliance of Section 100 Cr. P.C. has been made in the present case. The other co-accused has been granted bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 717 of 2017

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 C.J.M., Siwan, in connection with Guthani P.S. Case No. 116 of 2016.

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(Sudhir Singh, J)

