

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50650 of 2017

Arising Out of PS.Case No. -360 Year- 2017 Thana -AMARPUR District- BANKA

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Md. Sarik Alam @ Md. Sarique Alam @ Md. Sarik, Son of Md. Abbas,
The resident of Village- Souna, P.S.- Sajour (Shahkund), Distt- Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Swapnil Kumar Singh, Advocate.

For the Opposite Party : Mr. Md. Anzarul Haque Sahara, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner and learned A.P.P. for the
State.

The petitioner is languishing in custody since
29.08.2017 in a case for the offence registered under Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that the police
recovered 41 liters of country made liquor from the Bush and
arrested co-accused person Jitendra Kumar Bhagat. He named this
petitioner and other co-accused person Pandav Yadav.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case. There is no allegation of tampering with the
witnesses alleged against the petitioner. 41 liters of country made



liquor is said to have been recovered from the co-accused Jitendra Kumar Bhagat. The name of the petitioner has come in the present case on the basis of confessional statement of co-accused. No compliance of Section 100 Cr. P.C. has been made in the present case.

On behalf of the learned counsel for 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 bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned IInd Additional Sessions Judge, Banka, in connection with Amarpur P.S. Case No. 360/2017.

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(Sudhir Singh, J)

