

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50539 of 2017

Arising Out of PS.Case No. -121 Year- 2017 Thana -SOHSARAI District- NALANDA
(BIHARSHARIFF)

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1. Md. Chela @ Asraf @ Ashraf Son of Saiyad Kuraishi @ Saied Kuraisee
resident of Village- Mahua Tola P.S. Sohsarai District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudish Kumar

For the Opposite Party/s : Mr. Sri Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner seeks bail in a case instituted under
Section 3/0(A) of Bihar Prohibition and Excise Act, 2016 and 414
of the Indian Penal Code.

It is alleged that 390 litres of spirit is said to have been
recovered from the vehicle of the petitioner.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 25.08.2017. The petitioner has got
no criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. It is alleged that 390 litres
of spirit is said to have been recovered from the vehicle of the
petitioner. The petitioner has not been arrested on the spot. The



petitioner is not named in the F.I.R. His name has come in course of investigation by co-accused. There is no compliance of section 100 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioner is not 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 Additional Sessions Judge-VI-cum-Special Judge (Excise), Nalanda at Biharsharif, in connection with Sohsarai P.S. Case No.121 of 2017.

(Sudhir Singh, J)

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