

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57450 of 2017

Arising Out of PS.Case No. -191 Year- 2017 Thana -KUDRA District- BHABHUA (KAIMUR)

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1. Prabhu Sah S/o Pratap Sah, R/o Village- Kudra, P.S.- Kudra, District- Kaimur at Bhabua.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh

For the Opposite Party/s : Mr. Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 30(a)/38(1)(2) of Bihar Excise (Amendment) Act, 2016.

It is alleged that 10.5 litres of liquor is said to have
been recovered from the betel shop of the petitioner as per F.I.R.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 28.08.2017. The petitioner has got
no criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. It is alleged that 10.5
litres of wine is recovered from the betel shop of the petitioner as
per F.I.R. The petitioner had no knowledge regarding the alleged
incident. The petitioner has been made accused due to mistake of



fact. 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 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., Kaimur at Bhabua, in connection with Kudra P.S. Case No.191/2017.

(Sudhir Singh, J)

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