

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57660 of 2017

Arising Out of PS.Case No. -107 Year- 2017 Thana -MUSRIGHARARI District- SAMASTIPUR

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1. Sanjai Kumar @ Sanjay Kumar Son of Ramashish Singh Resident of
Mohalla- Ward No.-10, Motipur, P.S.- Tajpur, Distt.- Samastipur

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1

For the Opposite Party/s : Mr. Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 272, 273 of the Indian Penal Code and 30(a), 38, 41, 47
of Bihar Prohibition and Excise Act, 2016.

It is alleged that 785 litres of liquor is said to have been
recovered.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 26.09.2017. The petitioner has got
no criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. It is alleged that 785 litres
of wine is recovered from the bamboo orchard of Birchand Singh.
Nothing incriminating has been recovered from the conscious



possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. 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 Additional Sessions Judge-II-cum-Special Judge, Excise, Samastipur, in connection with Musarigharari P.S. Case No.107/2017.

(Sudhir Singh, J)

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