

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57718 of 2017

Arising Out of PS.Case No. -87 Year- 2017 Thana -HALSI District- LAKHISARAI

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1. Krishna Chaudhary S/o Late Somar Chaudhary, R/o Kandi, P.S.- Halsi,
Distt.- Lakhisarai.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jainendra Kumar

For the Opposite Party/s : Mr. Rajendra Nath Jha

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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, 290 of the Indian Penal Code and 30(a),
38(1)(2) of Bihar Prohibition and Excise Act, 2016.

It is alleged that 11 litres of Mahua liquor along with
130 litres of Jawa Mahua is recovered.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 07.10.2017. The petitioner has got
no criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. It is alleged that total 11
litres of Mahua wine and 130 litres of Jawa Mahua is recovered
from the house of co-accused. Whereas only 3 litres of Mahua



wine and 100 litres of Jawa Mahua are recovered from an open hut of the petitioner. 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, Lakhisarai, in connection with Halsi P.S. Case No.87/2017.

(Sudhir Singh, J)

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