

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51844 of 2017

Arising Out of PS.Case No. -50 Year- 2015 Thana -KORMA District- SEKHPURA

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1. Shankar Ram Son of Kesho Ram, All are Resident of Village-Murarpur,
Police station-Korma, District-Sheikhpura.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 272, 273 of the Indian Penal Code and
47(A) of the Excise Act.

The prosecution case, in brief, is that 30 litres of
country made liquor is said to have been recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The name
of the petitioner has come on the basis of disclosure made by
local chowkidar as per F.I.R. The name of chowkidar who has
named the petitioner has not been disclosed by the prosecution.



Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 30 litres of liquor is recovered. 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 anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Excise Case No. 117/2017, arising out of Korma P.S. Case No. 50/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Sheikhpura subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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