

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55536 of 2017

Arising Out of PS.Case No. -290 Year- 2017 Thana -SABOUR District- BHAGALPUR

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1. Ramtahal Mandal, Son of Late Bechan Mandal, The resident of Village-
Lallakh (Harijan Tola), P.S.- Sabour, Distt- Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh

For the Opposite Party/s : Mr. Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-12-2017 Learned counsel for the petitioner is permitted to make

necessary correction in para-3 of the petition in light of the

supplementary affidavit filed on behalf of the petitioner in course

of day.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Section 273 of the Indian Penal Code and 30A of Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that the petitioner is
said to have been apprehended with a gunny bag, which was
containing 15 liters of wine.

It has been submitted on behalf of the petitioner that the



petitioner is in custody since 24.09.2017. The charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that the petitioner was apprehended with a gunny bag, which was containing 15 liters of liquor. The petitioner is a labourer. He was paid to carry the said gunny bag. The petitioner had no knowledge regarding the articles being kept in the gunny bag. 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 Special Judge (Excise), Bhagalpur, in connection with Sabour P.S. Case No.290/2017.

(Sudhir Singh, J)

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