

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1021 of 2017

Arising Out of PS.Case No. -62 Year- 2016 Thana -DARPA District-
EASTCHAMPARAN(MOTIHARI)

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Dharmendra Sahani, Son of Jagdish Sahani, resident of Village- Dumari,
P.S. Sugauli, District- East Champaran at Motihari, Bihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Yashraj Bardhan, Advocate.

For the Opposite Party : Mr. Sanjay Kumar Tiwary 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-02-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 26.10.2016
in connection with Darpa P.S. Case No. 62 of 2016 for the
offences instituted under Section 30(A) of Bihar Excise
Amendment Act, 2016.

The prosecution story, in brief, is that the police
recovered 108 liters Tara Soufi Nepali country made liquor from a
vehicle on which four persons including the petitioner were
sitting.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 26.10.2016 and the charge sheet has



been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. It is alleged that 108 liters of Tara Soufi Nepali country made liquor is said to have been recovered from a vehicle in which four persons including the petitioner were sitting. No compliance of Section 100 Cr. P.C. has been followed in the present case.

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 S.D.J.M., Raxaul at Motihari, in connection with Darpa P.S. Case No. 62 of 2016.

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(Sudhir Singh, J)

