

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8416 of 2017

Arising Out of PS.Case No. -89 Year- 2016 Thana -NIYAMCHANDPUR District- BEGUSARAI

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Mukesh Kumar, S/o Hira Sahani, R/o Chandpura, P.S. Neemachandpura
District- Begusarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shubhesh Pandey, Advocate.

For the Opposite Party : Mr. Iftekhar Mahmood, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-03-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 17.12.2016
in connection with Neemachandpura P.S. Case No. 89 of 2016 for
the offences instituted under Sections 30(A) and 30(D) of the
Bihar Excise Act, 2016.

The prosecution story, in brief, is that the informant got
information that co-accused Hira Sahni with his sons is used to
prepare wine near *Itwa-Nala* and sale it. The informant went there
and saw three persons were preparing wine who seeing the
informant, tried to flee away. The police caught one person and
two succeeded in fleeing away. The apprehended person disclosed
his name as the petitioner and also disclosed the name of Hira



Sahni and Rakesh Sahni who succeeded in fleeing away. The police recovered two liters country made liquor, 10 Tins/Jerkins and other articles for preparing of wine.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.12.2016 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 two liters country made liquor and others things are said to have been recovered. No compliance of Section 100 Cr. P.C. has been made 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 A.C.J.M.-VI, Begusarai, in connection with Neema Chandpura P.S. Case No. 89 of 2016.

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(Sudhir Singh, J)

