

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31243 of 2017

Arising Out of PS.Case No. -9 Year- 2017 Thana -SIMRIBAZAR District- DARBHANGA

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Santosh Kumar Mishra, Son of Krishna kumar Mishra, Resident of Village-
Ramauli, Police Station-Bahera, District-Darbhang.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Girish Chandra Jha, Advocate.

For the Opposite Party : Smt. Sucheta Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 18.02.2017
in connection with G.O. Excise Case No. 141/2017, arising out of
Simri P.S. Case No. 09 of 2017 for the offences instituted under
Sections 399, 402 of the IPC, 25(1)(b)a of the Arms Act and 30(a)
of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that during checking of
the vehicle, petitioner and others were apprehended and a mobile
was recovered his possession. It is further alleged that from the
said vehicle, a loaded country made pistol, one bullet, liquor and
other things are recovered.

It has been submitted on behalf of the petitioner that the



petitioner is in custody since 18.02.2017 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. One liter of foreign liquor is 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 3rd Additional District & Sessions Judge-cum-Special Judge, Darbhanga, in connection with G.O. Excise Case No. 141/2017, arising out of Simri P.S. Case No. 09/2017.

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(Sudhir Singh, J)

