

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9973 of 2018

Arising Out of PS.Case No. -83 Year- 2017 Thana -LAUKHI District- MADHUBANI

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Amaresh Kumar Sah, Son of Shri Ram Ashish Sah, Resident of Piproun
P.S.- Loukahi, District- Madhubani.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Binodanand Mishra, Advocate.

For the Opposite Party : Mr. Akshay Lal Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
10.11.2017 in a case for the offence registered under Sections 272,
273/34 of the IPC and 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution story, in brief, is that total 225 liters
wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
Charge sheet/prosecution report has been submitted in the present
case. There is no allegation of tampering with the witnesses
alleged against the petitioner. The petitioner has falsely been



implicated in the present case. It is alleged that total 225 liters wine is recovered from three Bicycles in question. The petitioner has not been apprehended on the spot. The name of the petitioner has come on the basis of disclosure made by the co-accused Sibumandal. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Madhubani, in connection with Laukahi P.S. Case No. 83 of 2017.

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(Sudhir Singh, J)

