

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53337 of 2019

Arising Out of PS. Case No.-195 Year-2019 Thana- GHORASAHAN District- East
Champaran

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MUKESH SHARMA Son of Sri Shankar Sharma Resident of Village-
Baswariya, Police station- Ghorasahan, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar Tondon
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 147, 149, 323, 341, 307, 333, 325, 353 of the Indian Penal Code and 30(a), 41(b) and 45 of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that the accused persons were indulged in illegal business of wine and on seeing the police the accused persons were started fleeing but were apprehended and 44.700 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.5.2019 and has got no criminal antecedent. Charge-sheet/prosecution report has been



submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 44.700 liters wine is recovered. There is no allegation in respect of offence under Section 307 IPC. There is no recovery from the conscious possession of the petitioner. 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, it is directed that 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 learned Additional Sessions Judge -IX-cum- Special Judge, Excise, East Champaran at Motihari in connection with Ghorasahan (Jharokhar) P.S. Case No. 195/2019.

(Sudhir Singh, J)

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