

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27038 of 2016

Arising out of PS.Case No. -90 Year- 2016 Thana -ROHTAS District- SASARAM (ROHTAS)

Chandan Yadav, Son of Nagendra Yadav, resident of Village Samahuta,
P.S. Rohtas, District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Rajesh Kumar Singh, Advocate.

For the Opposite Party : Mr. Gauri Shankar Gupta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 02.05.2016
in connection with Rohtas P.S. Case No. 90 of 2016 for the
offences instituted under Sections 47(a) (g) and 53 of the Bihar
Excise Amendment Act, 2016.

The prosecution story, in brief, is that near about 48 liters
liquor kept in several bottles were recovered from a Maruti Zen
Car and the petitioner and two others were found sitting the said
Car.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 02.05.2016 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. The petitioner has been made accused in the present case due to mistake of fact. The wine which is alleged to have been recovered from the Car, the said Car does not belong to the petitioner. The other co-accused have been granted bail by another co-ordinate Bench of this Court vide Cr. Misc. Nos. 30541 of 2016 and 26550 of 2016.

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. Dehri-on-Sone, Rohtas at Sasaram in connection with Rohtas P.S. Case No. 90 of 2016.

U.K./-

(Sudhir Singh, J)

U		T	
---	--	---	--