

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58038 of 2017

Arising Out of PS. Case No.-153 Year-2017 Thana- RAGHUNATHPUR District- Siwan

Rajesh Bhagat, Son of Prem Sagar Bhagat alias Shukul Bhagat, Resident of
Village- Gambhiran, P.S.- Raghunathpur, District- Siwan, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. SURENDRA PRASAD SINGH

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-12-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under Sections
272, 273, 308 of the I.P.C. and Sections 30, 38, 41 of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 596.16 liters wine is
recovered from the bush.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 20.09.2017. He has remained in
custody for about three months. Charge sheet has not been
submitted till date. There is no allegation of tampering of
witnesses alleged against the petitioner. It is alleged that 596.16
liters wine is recovered from the bush. The name of the
petitioner has come on the basis of disclosure made by the local



residents as per F.I.R. The name of local residents who have named the petitioner has not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. 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.

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 learned Additional District & Sessions Judge II, Siwan in connection with Raghunathpur P.S. case No.153 of 2017.

(Sudhir Singh, J)

Narendra/-

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