

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57589 of 2017

Arising Out of PS.Case No. -173 Year- 2017 Thana -RAJNAGAR District- MADHUBANI

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1. Bikram Yadav @ Bikram Kumar Yadav @ Bikram Kumar S/o Bholu Yadav @ Jay Prakash , R/o Village- Sagarpur, P.S.- Sakri, District- Madhepura.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-12-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case instituted under Sections 272, 273/34 of the Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act, 2016.

It is alleged that 1090 litres of liquor is said to have been recovered from the house of co-accused Mahakant Yadav @ Maha Yadav.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.09.2017. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 1090 litres of wine is recovered from the house of co-accused



Mahakant Yadav @ Maha Yadav. The petitioner is not named in the F.I.R. His name has come in course of investigation, on the confessional statement of co-accused. 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 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioner is not 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani, in connection with G.R. No.408/2017, arising out of Rajnagar P.S. Case No.173/2017.

(Sudhir Singh, J)

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