

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57270 of 2017

Arising Out of PS.Case No. -155 Year- 2017 Thana -BITHAN BAZAR District- SAMASTIPUR

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1. Surendra Yadav Son of Ramswarup Yadav Resident of Village- Salha Bujurg, P.S. Bithan, District- Samastipur.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioner and learned counsel for the State.

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

The prosecution case, in brief, is that total 48 liters of wine is said to have been recovered from the joint house of the accused.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.09.2017. The charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that total 48



liters of wine is recovered from the joint house of the accused, whereas 11 litres of wine is said to have been recovered from the house of petitioner. 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 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 2nd Additional Sessions Judge-cum-Special Judge (Excise), Samastipur, in connection with Bithan P.S. Case No.155/2017.

(Sudhir Singh, J)

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