

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57652 of 2017

Arising Out of PS.Case No. -141 Year- 2017 Thana -MEERGANJ District- PURNIA

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1. Ganesh Gupta @ Ganesh Kumar Gupta, son of Bhola Gupta, resident of
Village- Khagaha (Mirganj), P.S.- Mirganj, District- Purnea.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Babita Kumari

For the Opposite Party/s : Smt. Asha Devi

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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 of the Indian Penal Code and 30(a) of Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that 50 liters of wine
is said to have been recovered from a car in question.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 07.10.2017. 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 50 litres
of wine is recovered from the company of Chandwa Petrol Pump,



as per seizure list. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. 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 3rd Additional Sessions Judge-cum-Special Judge (Excise), Purnea, in connection with Special Excise Case No.2530/2017, arising out of Mirganj P.S. Case No.141/2017.

(Sudhir Singh, J)

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