

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57737 of 2017

Arising Out of PS.Case No. -150 Year- 2017 Thana -MATIHANI District- BEGUSARAI

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Raj Bali Kumar S/o Pramod Singh, R/o Village- Ramdiri, Loka Singh Tola,
Ward No.7, P.S.- Matihani, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Advocate.

For the Opposite Party : Mr. Satyadev Prasad Singh Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-12-2017 A supplementary affidavit has been filed on behalf of

the petitioner. The same may be kept on the record.

Learned counsel for the petitioner is permitted to make
necessary corrections in paragraph no. 3 of the main bail petition,
in course of the day.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
27.09.2017 in a case for the offence registered under Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 710 liters wine
is said to have been recovered.

It has been submitted by learned counsel for the



petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that 710 liters wine is recovered from open field of Bhushan Singh. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present 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 the learned Additional Sessions Judge-7th, Begusarai-cum- Special Judge, Bihar Prohibition and Excise Act, 2016, Begusarai, in connection with Matihani P.S. Case No. 150 of 2017.

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(Sudhir Singh, J)