

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57968 of 2017

Arising Out of PS.Case No. -558 Year- 2017 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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Santosh Patel Son of Balram Patel Resident of village- Bhitahan Mathiya,
Police Station- Bairiya, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar No.-7, Advocate.

For the Opposite Party : Smt. Renuka Ratnakar, A.P.P.

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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 is languishing in custody since
20.09.2017 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 413.280 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 413.280 liters wine is



recovered from the Magic Van. The name of the petitioner has come on the basis of confessional statement of co-accused Raushan Kumar made before police as per F.I.R. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. Other co-accused Raushan Kumar has been granted bail by this Court vide Cr. Misc. No. 50225 of 2017. 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 Special Judge, Excise, West Champaran at Bettiah, in connection with Bettiah Town P.S. Case No. 558 of 2017.

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(Sudhir Singh, J)

