

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31185 of 2017

Arising Out of PS.Case No. -110 Year- 2017 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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Chuman Patel @ Chumman Patel, Son of late Motilal Patel, Resident of
Village - Karamawa Tola Bharwalia, P.S. - Majhaulia, District - West
Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sunil Kumar No.III, Advocate.

For the Opposite Party : Mr. Ashok Kumar Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 20.04.2017
in connection with Majhaulia P.S. Case No. 110 of 2017 for the
offences instituted under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution story, in brief, is that on secret
information, the informant recovered 70 liters of spirit from the
Maize field of the petitioner.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 20.04.2017 and the charge sheet has
been submitted in the present case. There is no allegation of



tampering of the witnesses alleged against the petitioner. He has falsely been implicated in the present case. As per prosecution case, 70 liters of spirit is said to have been recovered from the Maize field of the petitioner. No recovery was made from conscious possession of the petitioner. No compliance of Section 100 Cr. P.C. has been made in the present case.

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 Special Judge, Excise, Bettiah, West Champaran, in connection with Majhulia P.S. Case No. 110/2017.

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(Sudhir Singh, J)

