

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57226 of 2017

Arising Out of PS.Case No. -621 Year- 2017 Thana -SUPAUL District- SUPAUL

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1. ARUN KUMAR @ ARUN KUMAR YADAV @ ARUN YADAV S/o
Upendra Prasad Yadav, R/o Village- Paritola, Gauravgadh, Ward No.5, P.S.
& District- Supaul.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Smt. Reena Sinha

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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
Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that 107.68 liters of
wine is said to have been recovered from an open paddy field in
an abandoned stage.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 31.10.2017. The petitioner has got
no criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. It is alleged that 107.68
liters of wine is recovered from an open paddy field in an
abandoned stage. The name of the petitioner has come on the



basis of confessional statement of co-accused. 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 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 1st Additional Sessions Judge, Supaul, in connection with S.T. Excise Case No. 905/2017, arising out of Supaul P.S. Case No. 621/2017.

(Sudhir Singh, J)

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