

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57205 of 2017

Arising Out of PS.Case No. -107 Year- 2017 Thana -LAKHNAUR District- MADHUBANI

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1. Durga Nand Yadav S/o Baidynath Yadav @ Baidh Nath Yadav, R/o
Maibi Purwari Tola, P.S.- Lakhnaur, District- Madhubani.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Ram Bachan Singh

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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
Sections 272, 273, 290 of the Indian Penal Code and 30(a), 37(b)
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 08.09.2017. 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 94 liters
of wine is recovered from an open *Goitha* house as well as from a



vehicle, which was parked by the side of the house of petitioner. 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 2nd Additional Sessions Judge, Madhubani, in connection with Lakhnaur P.S. Case No.107/2017, G.R. No.128 of 2017.

(Sudhir Singh, J)

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