

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10492 of 2018

Arising Out of PS.Case No. -22 Year- 2018 Thana -BODHGAYA District- GAYA

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Tshewang Norbu, S/O Tobgay, R/V- Tshenkhar (Dagar Thang), P.S. Chukha (Phuntshaling), District-Lhuntse (Bhutan).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bibhuti Narayan, Advocate.

For the Opposite Party : Mr. Manish Kumar 2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 22-02-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 17.01.2018 in a case for the offence registered under Sections 272, 273 of the IPC and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 225 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet/prosecution report has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in



the present case. It is alleged that total 225 liters wine is recovered from the Restaurant of the petitioner. The name of the petitioner has come on the basis of alleged recovery made from the Restaurant of the petitioner. 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/ Complaint Case.

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, Gaya, in connection with Bodh Gaya P.S. Case No. 22 of 2018.

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(Sudhir Singh, J)

