

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10123 of 2018

Arising Out of PS.Case No. -4 Year- 2018 Thana -BASNAHI District- SAHARSA

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Officer Yadav, Son of Dasrath Prasad Yadav, Resident of Village- Murli,
Police Station- Beldaur, District- Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Viveka Nandsingh, Advocate.

For the Opposite Party : Mr. Sadanand Paswan, 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
14.01.2018 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 total 8.4 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 8.4 liters wine is recovered



from the dicky of the motorcycle in question on which the petitioner was found sitting. The motorcycle in question belongs to the petitioner. The name of the petitioner has come as the alleged recovery made from the motorcycle in question. 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), Saharsa, in connection with Special (Excise) Case No. 31 of 2018, arising out of Basnahi P.S. Case No. 04 of 2018.

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(Sudhir Singh, J)

