

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4525 of 2018

Arising Out of PS.Case No. -218 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
SITAMARHI

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Rajesh Chaudhary, S/o Late Vishambhar Chaudhary, R/o Village- Bajitpur,
P.S.- Bajpatti, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjana, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
25.11.2017 in a case for the offence registered under Section 30(a)
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 18 liters
Nepali Saufi 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 18 liters Nepali Saufi wine is recovered from possession of the petitioner. The name of the petitioner has come on the basis of alleged recovery made from possession of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Sitamarhi, in connection with G.O. Case No. 218 of 2017.

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(Sudhir Singh, J)

