

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3451 of 2018

Arising Out of PS.Case No. -787 Year- 2017 Thana -AHIAPUR District- MUZAFFARPUR

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Anand Kumar, S/o Birendra Sahni, Resident of Village- Paura Madan Singh, P.S. Saray, District- Vaishali, at present R/o Mohalla- Rasulpur Wazid, P.S.- Ahiyapur, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nafisuzzoha, Advocate.

For the Opposite Party : Mr. Gauri Shankar Gupta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 08-03-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 16.10.2017 in a case for the offence registered under Sections 272, 273 of the IPC, 30(a), 38(I)(II), 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 1542.6 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged



against the petitioner. It is alleged that total 1542.6 liters wine is recovered from the Truck and house of one co-accused Jitendra Sahni. The petitioner was apprehended on spot. The Truck and house in question does not belong to 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 A.D.J. 3rd-cum-Special Judge, Excise, Muzaffarpur, in connection with Ahiyapur P.S. Case No. 787 of 2017.

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(Sudhir Singh, J)

