

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3035 of 2018

Arising Out of PS.Case No. -152 Year- 2017 Thana -GAUTAMBUDHNAGAR District- SIWAN

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Sujeet Kumar @ Sujeet Prasad, S/o Kishun Prasad @ Jai Krishna Prasad,
resident of Village- Janki Nagar, P.S.- G.B. Nagar, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satyendra Rai, Advocate.

For the Opposite Party : Mr. Upendra Kumar, 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
06.11.2017 in a case for the offence registered under Sections 272,
273, 308 of the IPC and 30, 36 and 38 of the Bihar Prohibition and
Excise Act, 2016.

The prosecution story, in brief, is that total 2616
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/prosecution report has been submitted
in this case. There is no allegation of tampering with the witnesses
alleged against the petitioner. It is alleged that total 2616 liters



wine is recovered from the orchard of Barku Singh @ Suresh Singh. The name of the petitioner has come on the basis of secret information as per F.I.R. The source and genuineness of secret information has not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C. Other co-accused persons have been granted bail by this Bench as well as another Co-ordinate Benches of the Court vide Cr. Misc. Nos. 1826/2018 and 57974 of 2017.

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 Additional District and Sessions Judge-2nd, Siwan, in connection with G.B. Nagar P.S. Case No. 152 of 2017.

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(Sudhir Singh, J)