

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9898 of 2018**

Arising Out of PS. Case No.-50 Year-2017 Thana- PHULWARIA District- Gopalganj

Mayank Jayswal, Son of Late Jagdish Jaysawal, Resident of Village-  
Jamunha, P.S.- Kateya, Dist- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar Dubey

For the Opposite Party/s : Dr. AJEET KUMAR

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      08-03-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 272, 273, 420/34 of the Indian Penal Code and Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 148 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.11.2017. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 148 liters wine is recovered from the car in question. The petitioner has not been apprehended on the



spot. The name of the petitioner has transpired on the basis of disclosure made by the co-accused. 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.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that 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 learned Additional Sessions Judge-2nd, Gopalganj in connection with Fulwariya P.S. Case No. 50/2017.

**(Sudhir Singh, J)**

Pankaj/-

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