

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10080 of 2018

Arising Out of PS.Case No. -258 Year- 2017 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

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Shambhu Chaudhary, S/O Janak Chaudhary, R/V- Shyampur Bazar, P.S.
Adapur, District-East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate.

For the Opposite Party : Mr. Satyendra Narayan Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
19.11.2017 in a case for the offence registered under Sections 272,
273/34 of the IPC and 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution story, in brief, is that total 72 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 the present
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 72 liters wine is recovered from possession of the petitioner. The name of the petitioner has come on the basis of alleged recovery made from his possession. 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 Additional Sessions Judge-VII-cum-Special Judge (Excise), Motihari, in connection with Chauradano P.S. Case No. 258 of 2017, Sessions Trial No. 2199 of 2017.

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(Sudhir Singh, J)

