

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6353 of 2018

Arising Out of PS. Case No.-318 Year-2015 Thana- NAUTAN District- West Champaran

Indrasan Sah, S/o Late Shankar Sah, resident of Village- Jhakhara, P.S.- Jagdishpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. RAMCHANDRA SINGH

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-02-2018 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 414, 272, 273 of the I.P.C. and Sections 47A of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 200 liters spirit is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 01.12.2017. Charge sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired on the disclosure made by co-accused Hemant Kumar. Except for this, there is no other substantive evidence to suggest the implication



of the petitioner in the present case. The petitioner has not been apprehended on the spot. It is alleged that 200 liters spirit is recovered from the jeep. The jeep in question does not belong to the petitioner. 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./complaint case.

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 Special Judge, Excise, Bettiah, West Champaran in connection with Nautan (Jagdishpur) P.S. case No.318 of 2015.

(Sudhir Singh, J)

Narendra/-

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