

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10268 of 2018

Arising Out of PS.Case No. -827 Year- 2016 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

=====

Satish Kumar @ Akash Kumar, aged about 39 Years, S/o Nagendra Kumar
, R/o Mohalla- Banaras Bank Chowk, P.S.- Town Thana Muzaffarpur,
Distt.- Muzaffarpur, Bihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Surendra Kumar Pandey, Advocate.

For the Opposite Party : Mr. Prem Kumar Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
08.12.2017 in a case for the offence registered under Sections 272,
273, 120(B) of the IPC, 30(a) and 38(2) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution story, in brief, is that total 440.92
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. 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 440.92 liters wine is recovered from the house of Baiju Mahto. 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. The petitioner has not been apprehended on the spot. 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 Special Judge, Excise Act, Muzaffarpur, in connection with Muzaffarpur Town P.S. Case No. 827 of 2016, Spl. Case No. 79 of 2017.

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(Sudhir Singh, J)

