

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9307 of 2018

Arising Out of PS. Case No.-344 Year-2017 Thana- RIGA District- Sitamarhi

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Jaimangal Rai, Son of Bhui Rai, Resident of Village- Punaura, P.O.- Punaura,
P.S.- Sitamarhi, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar
For the Opposite Party/s : SRI NAND KISHORE PD

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-02-2018 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 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 450 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.12.2017. 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 come on the basis of secret information as per F.I.R. The source and genuineness of the secret information has not been disclosed by the prosecution.



It is alleged that 450 liters wine is recovered from the car in question. The car in question does not belong to the petitioner. Petitioner has not been apprehended on the spot. 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 A.D.J.-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Riga P.S. Case No. 344 of 2017.

(Sudhir Singh, J)

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