

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.11924 of 2018**

Arising Out of PS.Case No. -260 Year- 2017 Thana -HUSAINGANJ District- SIWAN

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Pankaj Pratap Singh, S/o Ganga Sagar Singh, resident of Village  
Pratappur, P.S.- Hussainganj, District- Siwan.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Anurag Saurav, Advocate.

For the Opposite Party : Mr. Binod Kumar 3, A.P.P.

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

2      28-02-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is languishing in custody since  
20.09.2017 in a case for the offence registered under Sections 272,  
273, 308 of the IPC, 41(i), 30, 36, 37(B) and 38 of the Bihar  
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 8 liters  
wine is said to have been recovered.

It has been submitted by learned counsel for the  
petitioner that the petitioner has falsely been implicated in the  
present case. Charge sheet/prosecution report has been submitted  
in the present case. There is no allegation of tampering with the  
witnesses alleged against the petitioner. It is alleged that total 8



liters wine is recovered from Banana Garden of co-accused Biru Singh. The petitioner was apprehended in drunken state. No liquor is alleged to have been recovered from conscious possession of the petitioner. There is no medical examination report to support that the petitioner was found in drunken state at the time of seizure. 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 A.D.J.-II-cum-Spl. Judge, Excise, Siwan, in connection with Hussainganj P.S. Case No. 260 of 2017.

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(Sudhir Singh, J)

