

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10488 of 2018

Arising Out of PS.Case No. -709 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
SITAMARHI

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Pramod Mukhiya, S/O Sukkan Mukhiya, R/V- Manpaur, P.S. Bela, District-
Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Devendra Kumar, Advocate.

For the Opposite Party : Mr. Anuj Kumar Srivastava, 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
14.12.2017 in a case for the offence registered under Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 16.725
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 this 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 16.725 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 C.J.M. Sitamarhi, in connection with Case No. C2/709 of 2017.

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(Sudhir Singh, J)

