

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26261 of 2018

Arising Out of PS. Case No.-148 Year-2018 Thana- NAWADA District- Nawada

Rajesh Singh, son of Late Yaddu Singh, resident of Mohalla- Malgodam,
Chhaya Road, P.S. Nawada, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-05-2018 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, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 250 liters spirit is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.3.2018. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired on the basis of disclosure made by co-accused namely Subodh Kumar. Except for this, there is no other substantive evidence to suggest



the implication of the petitioner in this case. It is alleged that 250 liters spirit is recovered from the field of one Ajay Kumar. The 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. Other co-accused has been granted bail vide order dated 01.05.2018 passed in Cr. Misc. No. 24712 of 2018.

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, Nawada in connection with Nawada Town P.S. Case No. 148/2018.

(Sudhir Singh, J)

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