

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62359 of 2017

Arising Out of PS.Case No. -101 Year- 2017 Thana -LAUKHI District- MADHUBANI

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Dhanik Lal Yadav, Son of Ram Ashish Yadav, resident of Mansapur, P.S.-
Laukahi, District- Madhubani.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Gagan Deo Yadav, Advocate.

For the Opposite Party : Mr. Lalan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
18.10.2017 in a case for the offence registered under Sections 272,
273/34 of the IPC and 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution story, in brief, is that 138.52 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 has been submitted in the present 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 138.52 liters wine is recovered from the Tempo in question. The name of the petitioner has come on the basis of disclosure made by the co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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.

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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani, in connection with Laukahi P.S. Case No. 101 of 2017.

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(Sudhir Singh, J)

