

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1674 of 2018

Arising Out of PS. Case No.-197 Year-2017 Thana- RAGHUNATHPUR District- Siwan

Upendra Yadav S/o Indrasan Yadav, R/o Village- Basopati, P.S.- Bankatta,
District- Devariya (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. RAM ANURAG SINGH

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-02-2018 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, 308 of the I.P.C. and Sections 30, 38, 41 of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 2050.920 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.11.2017 and has got no criminal antecedent. Charge sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 2050.920 liters wine is recovered from the truck in question. The petitioner at the alleged time of recovery was passing by on his motorcycle.



He is also suspected to be involved in the present 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./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 2nd Additional District and Sessions Judge, Siwan in connection with Raghunathpur P.S. case No.197 of 2017.

(Sudhir Singh, J)

Narendra/-

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