

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6605 of 2018

Arising Out of PS. Case No.-206 Year-2017 Thana- HUSAINGANJ District- Siwan

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Raja Ram Chaudhary @ Raja Ram Yadav S/o Late Raghunath Singh Yadav,@
Late Raghunath Chaudhary, R/o Village- Habib Nagar, P.S.- Hussainganj,
District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. PAWAN KUMAR CHAURASIYA

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-02-2018 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
41(1)/30/36/38 of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 39.300 liters wine is
recovered.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 19.10.2017. Charge
sheet/prosecution report has been submitted in this case. There
is no allegation of tampering of witnesses alleged against the
petitioner. The name of the petitioner has transpired in the
present case on the disclosure made by the co-accused. Except



for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. The petitioner has not been apprehended on the spot. It is alleged that 39.300 liters wine is recovered from the tempo. The tempo in question does not belong to the petitioner. 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 Cr.Misc.No.55428 of 2017.

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 Addl. District and Sessions Judge II, Siwan in connection with Hussainganj P.S. case No.206 of 2017.

(Sudhir Singh, J)

Narendra/-

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