

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11920 of 2018

Arising Out of PS.Case No. -187 Year- 2017 Thana -BITHAN BAZAR District- SAMASTIPUR

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Umakant Yadav, Son of Brahamdev Yadav, resident of Village- Belsandi,
P.S.- Bithan, District- Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Mishra, Advocate.

For the Opposite Party : Mr. Amit Kumar Rakesh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
29.11.2017 in a case for the offence registered under Sections 272,
273 of the IPC, 30(a), 38(i) and (ii) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution story, in brief, is that total 67.5 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 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 total 67.5 liters wine is recovered from joint house of the petitioner. The name of the petitioner has come on the basis of alleged recovery made from joint house of the petitioner where other family members also reside. 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 Additional Sessions Judge-6th-cum-Special Judge, Excise Act, Samastipur, in connection with Bithan P.S. Case No. 187 of 2017.

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(Sudhir Singh, J)

