

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10003 of 2018

Arising Out of PS.Case No. -421 Year- 2017 Thana -DALSINGHSARAI District- SAMASTIPUR

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Pankaj Kumar Choudhary @ Pankaj Chaudhary, S/o Late Ram Bilash Choudhary, R/o Village- Keota, P.S.- Dalsingsarai, District- Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Kumar Singh, Advocate.

For the Opposite Party : Mr. Khurshid Anwar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-02-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 01.01.2018 in a case for the offence registered under Sections 30(a), 38(1), 38(2) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 43.140 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. 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 43.140 liters wine is recovered from



joint house of the petitioner. The name of the petitioner has come as the 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 Dalsinghsarai P.S. Case No. 421 of 2017.

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(Sudhir Singh, J)

