

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62522 of 2017

Arising Out of PS.Case No. -262 Year- 2017 Thana -GAYA MUFFSIL District- GAYA

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Jhunnu Paswan, Son of Kailash Paswan, Resident of Mohalla- Gandhi Nagar, (Manpur), Buniyadganj), Police Station- Muffasil, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rabindra Kumar Priyadarshi,
Advocate.

For the Opposite Party : Mr. Satyendra Prasad, 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 09.11.2017 in a case for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 280 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 total 280 liters wine is recovered from open space by the side of Temple in question. The petitioner was not apprehended on the spot. The name of the petitioner has come on the basis of disclosure made by the local residents as per the F.I.R. The name of the local residents who have named the petitioner has not been disclosed by the prosecution. 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 Special Judge, Excise Act, Gaya, in connection with Muffasil P.S. Case No. 262 of 2017.

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(Sudhir Singh, J)

