

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7626 of 2018

Arising Out of PS.Case No. -551 Year- 2017 Thana -BIHPUR District- BHAGALPUR

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Sanjay Kunwar @ Sanjay Kumar, S/o Late Krishna Kunwar @ Late Krishna Kumar, R/o Sonwarsah, P.S.- Bihpur, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ravi Shanker Pankaj, Advocate.

For the Opposite Party : Mr. Pawan Kumar Chaurasiya, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-02-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 23.12.2017 in a case for the offence registered under Sections 30(a) and 38(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 13.2 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 13.2 liters



wine is recovered from abandoned hut of the petitioner. The name of the petitioner has come on the basis of alleged recovery made from abandoned hut of the petitioner. 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 Special Judge, Excise, Bhagalpur, in connection with Bihpur P.S. Case No. 551 of 2017.

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(Sudhir Singh, J)

