

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9707 of 2018

Arising Out of PS.Case No. -568 Year- 2017 Thana -SIWAN MUFFASIL District- SIWAN

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Sanjay Yadav, S/O Bigu Yadav @ Bigu Choudhary, R/V- Lakhraw, P.S.
Siwan Muffasil, District-Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Aslam Ansari, Advocate.

For the Opposite Party : Mr. Sanjay Kumar Sharma, 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
09.12.2017 in a case for the offence registered under Sections 272,
273 of the IPC and 30(a) of the Bihar Prohibition and Excise Act,
2016.

The prosecution story, in brief, is that total 7.200
liters wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case. Charge sheet/prosecution report has been submitted
in the present case. There is no allegation of tampering with the
witnesses alleged against the petitioner. It is alleged that total



7.200 liters wine is recovered by the side of road. The petitioner has not been apprehended on the spot. The name of the petitioner has come on the basis of suspicion. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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.

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 C.J.M. Siwan, in connection with Siwan Muffasil P.S. Case No. 568 of 2017.

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(Sudhir Singh, J)

