

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9603 of 2018

Arising Out of PS.Case No. -234 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
SITAMARHI

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Dinanath Pandey, S/o Nagendra Pandey @ Ganjendra Pandey, R/o Village-
Karuna, Ward No.13, P.O.- Malahi, P.S.- Sursand, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ritesh Kumar Narain Singh, Advocate.

For the Opposite Party : Smt. Sharda Kumari, 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
28.12.2017 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 35.400
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 35.400 liters wine is recovered from the motorcycle in question. The motorcycle in question belongs to the petitioner. The name of the petitioner has come as the alleged recovery made from the motorcycle in question. 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 A.D.J. II-cum-Special Judge, Excise Act, Sitamarhi, in connection with G.O. Case No. 234 of 2017.

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(Sudhir Singh, J)

