

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6624 of 2018

Arising Out of PS. Case No.-154 Year-2017 Thana- MAHARAJGANJ District- Siwan

Santosh Prasad S/o Gorakh Prasad @ Gorakh Nath Singh, R/o Village-
Chhotka Teghra, P.S.- Maharajganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh
For the Opposite Party/s : Mr. MANOJ KUMAR

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 272, 273, 308, 420, 414/34 of the I.P.C. and Sections 30(I), 41(1) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 2017.140 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.11.2017 and has got no criminal antecedent. Charge sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired in the present case on the disclosure made by the co-



accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. It is alleged that 2017.140 liters wine is recovered from the truck. The truck in question does not belong to the petitioner. 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, it is directed that 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 learned 2nd Additional Sessions Judge-cum-Special Judge, Siwan in connection with Maharajganj P.S. case No.154 of 2017.

(Sudhir Singh, J)

Narendra/-

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