

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11653 of 2018

Arising Out of PS. Case No.-17 Year-2017 Thana- SURYAPURA District- Rohtas

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Gautam Pandey, s/o- Krishna Pandey, r/o- Kharoj, P.s.- Suryapura, District- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Opposite Party/s : Mr. JITENDRA KUMAR SINGH

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2018 Petitioner is permitted to make necessary correction in paragraph 8 of the main application in course of the day.

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 of the Indian Penal Code and Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 182 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.01.2018 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 182 liters wine is recovered from the straw house in an open area.



The name of the petitioner has transpired as the straw house in question is alleged to be of the petitioner. Petitioner has not been apprehended on the spot. 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 Additional Sessions Judge-II, Rohtas in connection with Suryapura P.S. Case No. 17 of 2017.

(Sudhir Singh, J)

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