

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10324 of 2018

Arising Out of PS.Case No. -353 Year- 2017 Thana -NOKHA District- SASARAM (ROHTAS)

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Umesh Choudhary, S/o Late Nand Kishor Chaudhary @ Guddul
Chaudhary, R/o Village- Lalganj Yadu Tola, P.S.- Nokha, District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kumar Sunil, Advocate.

For the Opposite Party : Mr. Bisheshwar Ram, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
29.11.2017 in a case for the offence registered under Sections
30(a) and 37(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 158.6
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 this 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 158.6 liters wine is



recovered from open field of the petitioner. The name of the petitioner has come on the basis of alleged recovery made from open field 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 2nd Additional District and Sessions Judge-cum-Special Judge, Excise, Rohtas, Sasaram, in connection with Nokha P.S. Case No. 353 of 2017.

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(Sudhir Singh, J)

