

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3028 of 2018

Arising Out of PS. Case No.-752 Year-2017 Thana- SITAMARHI District- Sitamarhi

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Amod Baitha, Son of Ram Balam Baitha @ Ram Ballam Baitha, Resident of
Village- Sonbarsa, P.S.- Sonbarsa, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. NAWAL KISHORE PRASAD

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-02-2018 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, 279, 337 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

Prosecution case, in short, is that 146.8 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 20.09.2017 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. It is alleged that 146.8
liters wine is recovered from the tempo in question. The driver



of the tempo is alleged to have fled away. The petitioner is said to be sitting in the said tempo. He had no knowledge regarding the liquor being carried in the said tempo. 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 A.D.J.-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Sitamarhi P.S. Case No. 752 of 2017.

(Sudhir Singh, J)

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