

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8762 of 2018

Arising Out of PS.Case No. -182 Year- 2017 Thana -THAWE District- GOPALGANJ

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Bablu Singh, Son of Ramayan Singh, Resident of Village- Thakurai
Bairiya, Shampur, Police Station- Uchakagaon, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Lokesh Kumar Singh, Advocate.

For the Opposite Party : Mr. Abhay Kumar Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
07.12.2017 in a case for the offence registered under Sections
30(a), 35 and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 129.600
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 129.600 liters



wine is recovered from *Indica* Car in question. The petitioner is not named in the F.I.R. The name of the petitioner has come on the basis of confessional statement made by co-accused Barun Singh. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is not 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 IInd Additional Sessions Judge-cum-Special Judge, Gopalganj, in connection with Thawey P.S. Case No. 182 of 2017.

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(Sudhir Singh, J)

