

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19010 of 2019

Arising Out of PS. Case No.-266 Year-2018 Thana- NADI P.S. District- Patna

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Birju Kumar @ Biju Kumar, aged about 20 years, Male, Son of Yougeswar Mahto @ Jageswar Mahto, Resident of Village- Kanchnapur, P.S.- Bidupur, District- Vaishali.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Jainendra Kumar, Advocate.

For the Opposite Party : Mr.Indu Kumari Srivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-04-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 25.12.2018 in a case for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 250 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



250 liters wine is recovered from the Boat in question. 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 Special Judge, Excise, Patna, in connection with Special Case No. 12142/18, arising out of Nadi P.S. Case No. 266/18.

(Sudhir Singh, J)

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