

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20429 of 2019

Arising Out of PS. Case No.-630 Year-2018 Thana- BAGHA District- West Champaran

Shyam Jee Chaudhary, aged about 39 Years, Male, Son of Bal Govind Chaudhary, Resident of Village – Patkhauli, Ward No. 03, P.S.- Bagaha (Patkhauli O.P.), District - West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Brij Kishor Mishra, Advocate.
For the Opposite Party : Mr.Akshay Lal Pandit, A.P.P.

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 31.12.2018 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 20 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



20 liters wine is recovered from joint house of the petitioner. The name of the petitioner has come in the present case on the basis of alleged recovery made from joint house of the petitioner where other family members also reside. 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, Bettiah, District-West Champaran, in connection with Bagaha Patkhauri P.S. Case No. 630 of 2018.

(Sudhir Singh, J)

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