

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30844 of 2019

Arising Out of PS. Case No.-54 Year-2019 Thana- BIBHUTIPUR District- Samastipur

RAKESH PASWAN @ BABA, aged about 32 years, Male, S/o Singheshwar Paswan, R/o village- Bibhutipur Kali Ashtan, P.S.- Bibhutipur, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Lakshmindra Kumar Yadav, Advocate.
For the Opposite Party : Mrs.Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-06-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 08.03.2019 in a case for the offence registered under Sections 272, 273 of the IPC and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 245.160 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 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 245.160 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 A.D.J.-IInd-cum-Special Judge, Excise, Samastipur, in connection with Bibhutipur P.S. Case No. 54/2019.

(Sudhir Singh, J)

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