

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28748 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- JANTA BAZAR District- Saran

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Nishikant Tiwary Son of Akhilesh Tiwari Resident of Village - Harpur Kothi,
P.S.- Janta Bazar, District -Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash

For the Opposite Party/s : Mr.Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-05-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Sections-30 & 30(a) of the Bihar Prohibition and Excise Act,
2016.

The prosecution case, in short, is that 1036 liters wine
is recovered.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. The petitioner is in custody since 14-03-2019. The
name of the petitioner has transpired in this case on the
disclosure made by co-accused. Except for this, there is no
other substantive evidence to suggest the implication of the



petitioner in this case. It is alleged that 1036 liters wine is recovered from the truck in question. The truck in question does not belong to the petitioner. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. 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.

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 learned Additional Sessions Judge-IXth, Saran at Chapra in connection with Janta Bazar P.S. Case No. 09 of 2019.

(Sudhir Singh, J)

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