

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40868 of 2019**

Arising Out of PS. Case No.-73 Year-2018 Thana- SIKANDRA District- Jamui

PURUSHOTTAM KUMAR @ PURUSHOTTAM SINGH S/o Arun Singh @
Arun Kumar R/o village- Khoja Gachhi, P.S.- Barbigha, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 03-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 273, 467, 468, 471, 420/34 of the Indian Penal Code and 30 and 30(a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 3281 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.4.2019. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 3281 liters wine is recovered from the truck in question. The truck in question does not belong to



the petitioner. The petitioner is not named in the F.I.R.. The name of the petitioner has transpired on the basis of confessional statement of co-accused namely Kundan Kumar. Except for this, there is no other substantive evidence to suggest his implication in the present case. 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, it is directed that 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 District Judge-II, Jamui in connection with Sikandra P.S. Case No. 73 of 2018.

(Sudhir Singh, J)

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