

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52237 of 2019

Arising Out of PS. Case No.-229 Year-2019 Thana- BOCHAHAN District- Muzaffarpur

Sachida Nand Kumar Son of Shambhu Prasad Yadav @ Shambhu Kumar Yadav Resident of Village-Sahwajpur @ Sahbajpur, P.S.-Ahiyapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under Sections 272, 273 & 120(B) of the Indian Penal Code and Section 30(A) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case, in short, is that 6273 liters wine is recovered.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 16-06-2019. Charge sheet in this case has already been submitted. The petitioner is not named in the FIR. His name transpired in this case on the basis of confessional statement of co-accused. It is



alleged that 6273 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 not 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 Special Judge, Excise Act, Muzaffarpur in connection with Bochahan P.S. Case No. 229 of 2019.

(Sudhir Singh, J)

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