

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61859 of 2019

Arising Out of PS. Case No.-331 Year-2019 Thana- PATORI District- Samastipur

AWADHESH RAY, Male, aged about 38 years, S/o Mahendra Ray @ Mahendra Rai, R/o village- Asharafpur Supaul, P.S.- Shahpur Patori, Distt.- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Nityanand, Advocate.

For the Opposite Party : Mr.Mukesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-10-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 272, 273/34 of the IPC and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 5464 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 15.08.2019. The petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. Charge sheet/prosecution report has been submitted in the present case. There is no allegation of tampering with the



witnesses alleged against the petitioner. It is alleged that total 5464 liters wine is recovered from the Truck and Poultry Farm of co-accused Ritesh Kumar Singh. The said Truck was also standing in front of Poultry Farm of co-accused Ritesh Kumar Singh. The said Poultry Farm does not belong to the petitioner. 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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Samastipur, in connection with Patori (Shahpur) P.S. Case No. 331 of 2019.

(Sudhir Singh, J)

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