

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80296 of 2018

Arising Out of PS. Case No.-251 Year-2017 Thana- BASANTPUR District- Siwan

Surendra Chaudhari Son of Late Jawahar Chaudhari, Resident of Village-
Khawaspur, P.S.-Basantpur Lakri Nabiganj O.P. District-Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.Sri Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Sections 272, 273, 308 of the Indian Penal Code and Sections
35(A)(B)/36 of the Bihar Prohibition and Excise Act.

The prosecution case, in short, is that 156.24 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 27-11-2018.
Charge sheet in this case has already been submitted. The name
of the petitioner has transpired in this case on the basis of
disclosure made by the local residents. The name of the local
residents, who have named the petitioner, has not been disclosed



by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 156.24 liters wine is recovered by the side of bank of a bridge. 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 IInd A.D.J.-cum-Special Judge, Excise Siwan, in connection with Basantpur P.S. Case No. 251 of 2017.

(Sudhir Singh, J)

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