

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71283 of 2019

Arising Out of PS. Case No.-190 Year-2019 Thana- DUMARIAGHAT District- East
Champaran

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TINKU KUMAR Son of Rajeshwar Chaudhary @ Rajeshwar Sahni Resident
of Village - Badaharwa Khurd, P.S.- Dumariyaghat, District - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-11-2019 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 272, 273/34 of I.P.C. and 30(a) of the
Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 7040 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 16.09.2019 and has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. It is alleged that 7040
liters wine is recovered from the truck. The truck in question
does not belong to the petitioner. The car, on which the



petitioner was seating, was also parked near by the truck. Hence he has been made accused. Except for this, there is no other substantive evidence to suggest his implication in this case. There is no recovery of liquor from the possession of 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, 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 9th Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran in connection with Dumariaghat P.S. case No.190 of 2019.

(Sudhir Singh, J)

Narendra/-

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