

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31292 of 2020

Arising Out of PS. Case No.-581 Year-2019 Thana- BRAHMPUR District- Buxar

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DINESH YADAV S/o Bihari Yadav R/o Village- Balua, P.S.- Brahmpur,
District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-12-2020 Due to COVID-19 Pandemic, the matter is being taken
up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned APP
for the State.

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

The prosecution case, in short, is that 60.480 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 06-03-2020. Charge sheet/Prosecution report in this case has already been submitted. It is alleged that 64.480 liters wine is said to have been recovered by the side of the river. 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 of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum-Special Judge, Excise, Buxar in connection with Brahmpur P.S. Case No. 581 of 2019 (CIS Excise-1404 of 2019).

(Sudhir Singh, J)

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