

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31262 of 2020

Arising Out of PS. Case No.-339 Year-2019 Thana- MAIRWAN District- Siwan

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BINDALAL GUPTA, (Male, aged about 30 years), Son of Sudama Gupta @ Sudama Kanu, Resident of Village - Sumerpur Muriyari, P.O.- Bisunpura Bazar, P.S.- Mairwa, District – Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Ranjan Kumar Dubey, Advocate.
For the Opposite Party : Mr. Harendra Prasad, A.P.P.

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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 defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

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

The petitioner seeks bail in a case for the offence registered under Section 30(a) of the Bihar Prohibition and



Excise Act, 2016.

The prosecution story, in brief, is that total 36 liters wine is said to have been recovered in abandoned state.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 15.12.2019. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 36 liters wine is recovered in abandoned state. The petitioner has got no concern with the alleged occurrence. He had no knowledge regarding the alleged incident. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious 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.

Considering the facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



the learned Additional District and Sessions Judge-2nd-cum-Special Judge, Siwan, in connection with Mairwa P.S. Case No. 339 of 2019.

(Sudhir Singh, J)

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