IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30361 of 2017

Arising Out of PS.Case No. -47 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District- MUZAFFARPUR

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Pramod Kumar, son of Sonfi Rai, Resident of Village/Mohalla- Jalalpur, P.S.- Saraiya, O.P.- Jaitpur, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :
For the Petitioner : Mr. Pravin Kumar, Advocate.
For the Opposite Party : Mr. Sanjay Kumar Tiwary 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 19.04.2017 in connection with Special Excise No. 47/17, arising out of Paroo Anchal Excise Case No. PR No. 05/17-18 for the offences instituted under Sections 30(a), 31(1), 32(1), 32(2) and 38(1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that on confidential information, the informant and others intercepted a truck and recovered 2118.600 liters of foreign liquor, four mobile phones and cash of Rs. 9000/- recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 19.04.2017 and the prosecution report has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. The petitioner was found sitting in the truck in question. He had no knowledge regarding the goods which were being transported. No compliance of Section 100 Cr. P.C. has been made in the present case.

On behalf of the State, it has been submitted that the petitioner is named in the prosecution report.

Considering the aforesaid facts and circumstances, 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 the learned 3rd Additional Sessions Judge-cum-Special Judge, Excise, Muzaffarpur, in connection with Special Excise Case No. 47/17.

U.K./-

(Sudhir Singh, J)

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