

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31170 of 2017

Arising Out of PS.Case No. -113 Year- 2017 Thana -KIUL RAIL P.S. District- LAKHISARAI

Vikky Kumar, Son of Mr. Ramesh Goswami, resident of Anand Talkies,
Belwarganj, Daldal Toli, P.S.- Alamganj, District- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Dharm Narayan Jha, Advocate.

For the Opposite Party : Mr. Surendra Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 30.05.2017
in connection with Keul Rail P.S. Case No. 113 of 2017 for the
offences instituted under Section 30(a) and 38(1) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that during checking at
the Railway Platform, the informant recovered 15 liters of country
made liquor from the bag of the petitioner.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 30.05.2017. There is no allegation of
tampering of the witnesses alleged against the petitioner. He has
got no criminal antecedent. As per prosecution case, 15 liters of



country made liquor is said to have been recovered. The same has not been recovered from conscious possession of the petitioner. 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 F.I.R.

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 Special Judge, Excise-cum-A.S.J. II, Lakhisarai, in connection with Keul Rail P.S. Case No. 113/2017.

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(Sudhir Singh, J)

