

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31338 of 2017

Arising Out of PS.Case No. -115 Year- 2017 Thana -BARHARA District- BHOJPUR

=====

Dablu Singh, Son of Ram Naraain Singh, Resident of Village- Nathmalpur,
P.S.- Barahara, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Ajay Kumar Singh, Advocate.

For the Opposite Party : Mr. Bhanu Pratap 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 03.06.2017
in connection with Excise Case No. 418/2017, arising out of
Barhara P.S. Case No. 115 of 2017 for the offences instituted
under Sections 30(a) and 56(B) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution story, in brief, is that the informant,
during the course of raid, stopped a motorcycle on which two
persons were riding. One of them was arrested and other was fled
away. The informant recovered 45 liters of foreign liquor from the
motorcycle of co-accused Chhotu Singh.

It has been submitted on behalf of the petitioner that the



petitioner is in custody since 03.06.2017. There is no allegation of tampering of the witnesses alleged against the petitioner. He has falsely been implicated in the present case. As per prosecution case, 45 liters of foreign liquor is said to have been recovered from the motorcycle of co-accused Chhotu Singh. 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 A.D.J. IV, Bhojpur at Ara, in connection with Excise Case No. 418/2017, arising out of Barahara P.S. Case No. 115/2017.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)