

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31081 of 2017

Arising Out of PS.Case No. -430 Year- 2016 Thana -BARACHATTI District- GAYA

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Alok Tiwari, son of Deo Bhushan Tiwari, Resident of Village- Hatiya Solanki, Police Station- Tipudana, District- Ranchi (Jharkhand). Permanent Address- Village- Radhapur, P.S.- Sursand, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manish Kumar No-2, Advocate.

For the Opposite Party : Mr. Ashok Kumar Singh 1, A.P.P.

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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 29.10.2016 in connection with Barachatti P.S. Case No. 430 of 2016 for the offences instituted under Sections 272, 273, 120(B) of the IPC and 30(a), 32(2), 38 and 47 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that the informant stopped a vehicle and recovered 282 liters of foreign liquor. The petitioner was the driver of the said vehicle.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.10.2016 and the charge sheet has



been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. As per prosecution case, 282 liters of foreign liquor is said to have been recovered from the vehicle. The petitioner was the driver of the said vehicle. 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, Gaya., in connection with Barachatti P.S. Case No. 430 of 2016.

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(Sudhir Singh, J)

