

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50495 of 2017

Arising Out of PS.Case No. -119 Year- 2017 Thana -DAGARUA District- PURNIA

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1. Md. Sahbaz Khan @ Shahbaz Khan Son of Md. Rabban Khan, R/o
Village- Line Bazar Madhopara, P.S.- K. Hat (Sahayak), District- Purnea,

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 273 of the Indian Penal Code and 30(a)/41 of Bihar
Prohibition and Excise Act, 2016.

It is alleged that 44.250 litres of foreign liquor is said to
have been recovered from the dickey of the vehicle.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 19.07.2017. The petitioner has got
no criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. It is alleged that 44.250
litres of foreign wine is said to have been recovered from the
dickey of the vehicle. The petitioner is the driver of the vehicle in



question. He had no knowledge regarding the goods being carried in the vehicle. There is no compliance of section 100 of the Cr.P.C.

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 Additional Sessions Judge-III-cum-Special Judge (Excise), Purnea, in connection with Special Excise Case No. 2002/2017, arising out of Dagarwa (Dagarua) P.S. Case No.119 of 2017.

(Sudhir Singh, J)

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