

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49451 of 2017

Arising Out of PS.Case No. -41 Year- 2017 Thana -BANIAPUR District- SARAN

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Manish Kumar @ Manish Kumar Singh @ Tinku, S/O Sri Prabhunath Singh, R/V- Lauwa Kala, P.S. Baniyapur, District-Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Krishna Kant Singh, Advocate.

For the Opposite Party : Mr. Md. Ansarul Haque, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 17-10-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 25.08.2017 in a case for the offence registered under Sections 30, 30(a) and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that on secret information, the police recovered 5719.32 liters of foreign liquor from the Truck.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. 5719.32 liters of foreign liquor is said to have been recovered from the Truck. It is further submitted that no recovery



was made from conscious possession of the petitioner nor the petitioner had any knowledge regarding the goods being transported by the Transporter. No compliance of Section 100 Cr. P.C. has been made in the present case.

On behalf of the learned counsel for 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 bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 6th Additional District and Sessions Judge, Saran, in connection with Baniyapur P.S. Case No. 41/17.

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(Sudhir Singh, J)

