

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49467 of 2017

Arising Out of PS.Case No. -3217 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
PATNA

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Sumangal Rai, S/O Late Laldeo Rai, R/V- Jethuli, P.S. Fatuha, District-
Patna.

.... 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 : Smt. Madhuri Lata, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-10-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
14.07.2017 in a case for the offence registered under Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that the police
recovered 140 liters of country made liquor from the Bush situated
just in front of the house of the petitioner.

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. 140 liters of country made liquor is said to have been
recovered from the Bush situated just in front of the house of the



petitioner. It is submitted that no recovery was made from conscious possession of the petitioner nor the petitioner had any knowledge regarding the liquor kept in the Bush. 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 prosecution report.

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 Special Judge, Excise, Patna, in connection with Special Case No. 3217 of 2017, arising out of P.R. No. 54 dated 01.07.2017.

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(Sudhir Singh, J)

