

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57643 of 2017

Arising Out of PS. Case No.-303 Year-2017 Thana- DALSINGHSARAI District- Samastipur

Abhay Kumar @ Banty, son of Bhola Sah @ Bhola Prasad Sah, resident of
Mohalla- Mangal Sah Chowk, P.S.- Dalasingsarai, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy

For the Opposite Party/s : Mr. SATYA NAND SHUKLA

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-12-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under Sections
30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 952 liters wine is
recovered.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 24.09.2017 and has no criminal
antecedent. Charge sheet has been submitted in this case. There
is no allegation of tampering of witnesses alleged against the
petitioner. It is alleged that 952 liters wine is recovered from the
truck in question. The petitioner is said to have been unloading
the goods from the truck. He is a labourer. He had no knowledge
regarding the goods being kept in the truck. There is no



compliance of Section 100 Cr.P.C. Other co-accused have been granted bail vide Cr.Misc.No.56526 of 2017, with Cr.Misc.No.55491 of 2017 and Cr.Misc.No.56384 of 2017.

On behalf of the State, it is 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 learned 2nd Additional Sessions Judge, Samastipur-cum-Special Judge, Excise, Samastipur in connection with Dalsinghsarai P.S. case No.303 of 2017.

(Sudhir Singh, J)

Narendra/-

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