

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60929 of 2017

Arising Out of PS. Case No.-407 Year-2017 Thana- GOPALGANJ TOWN District-
Gopalganj

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Raja Kumar Ram @ Raja Kumar Sah Son of Harendra Sah Resident of
Village - Harpur, P.S. - Gopalganj, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. SATYENDRA PRASAD

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-02-2018 A supplementary affidavit has been filed on behalf of the
petitioner. Same be kept on the record.

In pursuance of the supplementary affidavit filed on behalf
of the petitioner, the counsel for the petitioner is permitted to
make necessary correction in para 3 of the petition in course of
the day.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 147, 148, 149, 353, 307, 308, 420 of the
I.P.C. and Sections 30(A) and 41(1) of the Bihar Prohibition and
Excise Act, 2016.

Prosecution case, in short, is that 2737 liters wine is
recovered.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.10.2017. Charge sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 2737 liters wine is recovered while the truck in question was being unloaded. The petitioner has not been apprehended on the spot. The name of the petitioner has come on the confessional statement of the co-accused. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that 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 A.D.J. IInd, Gopalganj in connection with Town P.S. case No.407 of 2017.

Narendra/-

(Sudhir Singh, J)

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