

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57140 of 2017

Arising Out of PS.Case No. -86 Year- 2017 Thana -RAGHOPUR District- VAISHALI(HAJIPUR)

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1. Kanchan Rai S/o Rajendra Rai, R/o Village- Sarfabad, P.S.- Raghapur
(Rustampur O.P.), District- Vaishali.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Section 414 of the Indian Penal Code and 30(a), 37 of Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that 45 liters of wine
is said to have been recovered from a motorcycle.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 19.08.2017. The charge sheet has
been submitted in the present case. The petitioner has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. It is alleged that 45 liters
of wine is recovered from a motorcycle. The motorcycle in



question does not belong to the petitioner. The petitioner had no knowledge regarding the liquor being carried on the motorcycle. 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 2nd Additional Sessions Judge-cum-Special Court (Excise Act), Vaishali at Hajipur, in connection with Raghapur (Rustampur O.P.) P.S. Case No. 86/2017.

(Sudhir Singh, J)

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