

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58098 of 2017

Arising Out of PS.Case No. -273 Year- 2017 Thana -MALSALAMI District- PATNA

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Amit Kumar S/o Anil Prasad, R/o Simli Panderiva, P.S.- Malsalami,
District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pranaya Shanker Sinha, Advocate.

For the Opposite Party : Mr. Nawal Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
13.10.2017 in a case for the offence registered under Sections
30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 170 liters wine
is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
Charge sheet has been submitted in the present case. There is no
allegation of tampering with the witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the present
case. It is alleged that 170 liters wine is recovered from the car in



question. The name of the petitioner has come on the basis of secret information as per the F.I.R. The source and genuineness of the secret information has not been disclosed by the prosecution. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C. Other co-accused has been granted bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 59795 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 the learned Special Judge, Excise, Patna, in connection with Malsalami P.S. Case No. 273 of 2017.

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(Sudhir Singh, J)

