

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57257 of 2017

Arising Out of PS.Case No. -838 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
SUPAUL

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1. Suman Kumar, son of Shri Ram Chandra Yadav, Resident of Village-
Litiyahi, P.S.- Pipra, District- Supaul.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amrit Abhijat

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

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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 30(a) of Bihar Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that 63 liters of wine
is said to have been recovered from a car in question.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 16.09.2017. The prosecution report
has not been submitted till date. The petitioner has got no criminal
antecedent. There is no allegation of tampering of witnesses
alleged against the petitioner. It is alleged that 63 liters of wine is
recovered from a car in question. The petitioner has remained in
custody beyond 60 days period as provided under the Statute, as



per Section 91(3) of Bihar Prohibition and Excise Act, 2016. The petitioner is said to be the driver of the said vehicle. The petitioner had no knowledge regarding the goods being kept in the car. 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 Complaint.

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 1st Additional Sessions Judge-cum-Special Judge (Excise), Supaul, in connection with Misc. Excise Case No.838/2017.

(Sudhir Singh, J)

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