

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53924 of 2017

Arising Out of PS.Case No. -71 Year- 2017 Thana -RAGHOPUR District- SUPAUL

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Nezam @ Md. Nizamu @ Md. Nizam

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 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 513 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 06.09.2017. The charge sheet has
been submitted in the present case. There is no allegation of
tampering of witnesses alleged against the petitioner. It is alleged
that 513 liters of wine is recovered from a car in question in an
abandoned stage. The petitioner has remained in custody for more
than three months. From the papers recovered from the said car, it
is suspected that the petitioner had purchased the car in question.



The petitioner denies the ownership of the car. Nothing has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. No compliance of Section 100 of the Cr.P.C. When the petitioner learnt about the present case, he suo-moto surrendered in the court below.

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 1st Additional Sessions Judge-cum-Special Judge (Excise), Supaul, in connection with S.T. Excise No.185/2017, arising out of Raghapur P.S. Case No.71/2017.

(Sudhir Singh, J)

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