

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55688 of 2017

Arising Out of PS.Case No. -79 Year- 2017 Thana -BASNAHI District- SAHARSA

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1. Manish Yadav S/o Late Indradeo Prasad Yadav @ Late Indradeo Yadav,
R/o Village- Atalkha, P.S.- Basnahi, District- Saharsa.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sameer Ranjan

For the Opposite Party/s : Mr. Indra Kumar Singh

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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 15 liters of Mahua
wine is said to have been recovered.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 30.08.2017. 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 15 liters
of Mahua liquor is recovered, which was kept in a gunny bag on a
bicycle. The petitioner was a labourer, who was given the said



gunny bag to be carried to the field. Nothing has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the goods being kept inside the gunny bag. No compliance of Section 100 of the Cr.P.C. The petitioner has remained in custody for more than three months.

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 Special Judge (Excise Act), Saharsa, in connection with Special Case No.354/2017, arising out of Basnahi P.S. Case No.79/2017.

(Sudhir Singh, J)

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