

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57169 of 2017

Arising Out of PS.Case No. -244 Year- 2017 Thana -FALKAHA District- KATIHAR

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1. Rohit Das S/o Late Sugo Das, R/o Village- Bari Makanpur (Malpur),
P.S.- Gopalpur, District- Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Smt. Anusuiya Jaiswal

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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
Sections 272, 273, 290 of the Indian Penal Code and 30(a), 37(b)
of Bihar Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that total 195 liters of
wine is said to have been recovered.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 21.08.2017. 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 total 195
liters of wine is recovered out of which 90 litres of wine is



recovered from a tempo in question. The petitioner is the driver of the said tempo. The petitioner had no knowledge regarding the liquor being carried by the passengers. 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 Judge (Excise Act), Katihar, in connection with Falka (Pothia) P.S. Case No. 244/2017.

(Sudhir Singh, J)

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