

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15565 of 2018

Arising Out of PS.Case No. -364 Year- 2017 Thana -KUCHAIKOTE District- GOPALGANJ

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1. Rahimuddin @ Rahisuddin @ Rahimudan S/o Rashid
2. Sahrukh @ Saruk S/o Shahid both are resident of Village +P.O. Buland Sahar, P.S. Buland Sahar, Distt. Sikandrabad(U.P) Presently resident of Village- Garden Noida, P.S. Buleshra Chaukimula Colony, Distt. Noida(U.P).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Shrivastwa

For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-03-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in a case instituted for the offences under Sections-188, 272, 273, 420 of the IPC and Sections-30(a) (b) (c) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 2146 liters wine is alleged to have been recovered from the truck in question.

It has been submitted that petitioners are driver and Khalasi of the truck in question. They had no knowledge regarding the nature of goods booked by the transporter. The petitioners are in custody since 01-01-2018 and have got no criminal antecedent. Charge-sheet/prosecution report has been submitted



in this case. There is no allegation of tampering of witnesses alleged against the petitioners. It is alleged that 2146 liters wine is recovered. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioners, 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 learned 2nd Additional District & Sessions Judge-cum-Special Judge, Gopalganj in connection with Kuchai Kote P.S. Case No. 364 of 2017.

(Sudhir Singh, J)

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