

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13824 of 2018

Arising Out of PS.Case No. -463 Year- 2016 Thana -SUPAUL District- SUPAUL

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Ankaj Singh @ Ankaj Kumar Singh, Son of Sachidanand Singh @ Shree Kant Singh, Resident of Village- Panchgachhia, Gaharwar Tola, P.S.- Bihra, District- Saharsa.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Chandra Mohan Jha, Advocate.

For the Opposite Party : Mr. Nirmal Kumar Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-03-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 06.12.2017 in a case for the offence registered under Sections 47(a) and 51 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 2691.36 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet/prosecution report has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that total



2691.36 liters wine is recovered from the Truck in question. The petitioner is not named in the F.I.R. The name of the petitioner has come on the basis of disclosure made by the co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C. Other co-accused have been granted bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 60827 of 2017 dated 17.01.2018.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner 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 the learned A.D.J. 2nd, Supaul, in connection with S.T. Excise Case No. 576 of 2017, arising out of Supaul P.S. Case No. 463 of 2016.

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(Sudhir Singh, J)

