

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12419 of 2018

Arising Out of PS.Case No. -183 Year- 2017 Thana -OBRA District- AURANGABAD

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Raj Kumar Bhagat, Son of Late Gupteshwar Nath, Resident of Village-
Kulharia, Police Station- Koilwar, District- Bhojpur at Ara.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Jitendra Kumar Roy, Advocate.

For the Opposite Party : Mr. Ajit Kumar, 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
13.11.2017 in a case for the offence registered under Sections
30(a) and 38(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 2340
liters wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
Charge sheet has been submitted in the present case. There is no
allegation of tampering with the witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the present
case. It is alleged that total 2340 liters wine is recovered from a
Container vehicle in question. The petitioner is alleged to be the



driver of the vehicle in question. He had no knowledge regarding the nature of goods booked by the Transporter. The name of the petitioner has come on the basis of alleged recovery made from the vehicle in question. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is 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 Additional Sessions Judge-VII-cum-Special Judge (Excise), Aurangabad, in connection with Obera P.S. Case No. 183 of 2017.

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(Sudhir Singh, J)

