

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18525 of 2018

Arising Out of PS.Case No. -6 Year- 2018 Thana -NABINAGAR District- AURANGABAD

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1. Akshay Kumar, Son of Late Uday Choudhary, resident of Village-Sheoganj Dehri-on-Sone, Ward NO. 29, Police Station- Dehri, District-Rohtas (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-04-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections-30(a)/38 of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 400 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 13-01-2018 and has 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 petitioner. It is alleged that 400 liters wine is recovered from the vehicle in question. The petitioner is said to be driver of the vehicle in question. He had no knowledge regarding



the nature of goods booked by the transporter. 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, it is directed that 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 learned 7th Additional Sessions Judge-cum-Special Judge, Excise, Aurangabad in connection with Navinagar P.S. Case No. 06 of 2018.

(Sudhir Singh, J)

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