

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9965 of 2018

Arising Out of PS.Case No. -665 Year- 2017 Thana -BARACHATTI District- GAYA

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Krishna Kumar, Son of Late Vishnu Beldar, Resident of Village- Near Kali Mandir Pandey Dih Beldari Basti P.S.- Tetulmari, District- Dhanbad (Jharkhand).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kr. Sinha, Advocate.

For the Opposite Party : Mr. Tarun Prasad Mandal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-02-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 25.10.2017 in a case for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 198 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/prosecution report 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 198 liters wine is recovered from the car in question. The car in question does not belong to the petitioner. The name of the petitioner has come as he was driver of the car in question. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. The petitioner had no knowledge regarding the liquor kept in the car 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 Special Judge, Excise, Gaya, in connection with Barachatti (Mohanpur) P.S. Case No. 665 of 2017.

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(Sudhir Singh, J)

