

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11543 of 2018

Arising Out of PS. Case No.-894 Year-2017 Thana- KHAZANIHAT District- Purnia

Md. Parvez Son of Late Yasheen @ Asheen Resident of Village-Marghi,
Tola-Mushapur POlice Station-Korha, District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gyanand Roy
For the Opposite Party/s : SMT. REENA SINHA

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2018 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 272, 273 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 122.590 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 18.12.2017 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
122.590 liters wine is recovered from the car in question. The
car in question does not belong to the petitioner. Petitioner was



not apprehended on the spot. 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.

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 3rd Additional Sessions Judge-cum-Special Judge, Excise, Purnea in connection with Special Excise Case No. 2948 of 2017 (arising out of K. Hat (Maranga) P.S. Case No. 894 of 2017).

(Sudhir Singh, J)

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