

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28864 of 2018

Arising Out of PS.Case No. -1808 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
PATNA

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BITTU KUMAR @ SHUBHAM KUMAR S/o Uday Lal Resident of
Kachchi Dargah, Fatuha, Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar @ Manu, Advocate.

For the State : Mr. Akshay Lal Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 10-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
01.03.2018 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 576 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 576 liters wine is recovered from the Truck in question. The Truck in question does not belong to the petitioner. The petitioner is alleged to have been unloading the goods from the Truck as a labourer. The petitioner had no knowledge regarding the nature of goods kept on the said Truck. 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, Patna, in connection with Didarganj P.R. P.S. Case No. 275 of 2018.

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(Sudhir Singh, J)

