

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11634 of 2018

Arising Out of PS. Case No.-843 Year-2017 Thana- KANKARBAGH District- Patna

Bhagawan Das, Son of Late Ramdahin Dass, resident of Village Malahi
Pakri, P.S. Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. . KUMAR UDAY PRATAP

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 Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

Prosecution case, in short, is that 58 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 08.11.2017. 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 58 liters wine is recovered from a
rickshaw. Petitioner has not been apprehended on the spot. The
name of the petitioner has transpired on the basis of disclosure



made by the co-accused. 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 Special Judge, Excise, Patna in connection with Special Case No. 7579 of 2017 (arising out of Kankarbagh P.S. Case No. 843 of 2017).

(Sudhir Singh, J)

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