

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9882 of 2018

Arising Out of PS.Case No. -12 Year- 2018 Thana -LAKHISARAI District- LAKHISARAI

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Santosh Kumar, S/O Manohar Prasad, R/V- Kabaiya Road, Ward No. 25,
P.S. and District-Lakhisarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Surya Narayan Poddar, Advocate.

For the Opposite Party : Smt. Anita Kumari Singh, 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
11.08.2017 in a case for the offence registered under Sections
30(a), 32(c) and 38(a) of the Bihar Prohibition and Excise Act,
2016.

The prosecution story, in brief, is that total 90.600
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 90.600 liters wine is recovered from the bush by the side of land of co-accused Munni Yadav as per seizure list. The name of the petitioner has come as he was apprehended on spot. 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 A.D.J.-II-cum-Special Judge (Excise), Lakhisarai, in connection with Lakhisarai P.S. Case No. 12 of 2018.

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(Sudhir Singh, J)

