

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26123 of 2018

Arising Out of PS. Case No.-48 Year-2018 Thana- NALANDA District- Nalanda

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Ravi Singh, Son of Krishna Singh, Resident of Village- Kool, Police Station-
Nalanda, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh
For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-05-2018 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 30 and 30(A) of the Bihar Prohibition
and Excise Act, 2016.

Prosecution case, in short, is that 78 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 25.3.2018. There is no
allegation of tampering of witnesses alleged against the
petitioner. It is alleged that 78 liters wine is recovered from the
car in question. The car in question does not belong to the
petitioner. The petitioner has been made accused in this case
only for the reason that he was also present by the side of the car



in question at the time of search. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. There is no recovery from the conscious possession of the petitioner. The petitioner had no knowledge regarding the liquor kept in the car. 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 6th Additional District & Sessions Judge-cum- Special Judge, Excise, Nalanda at Biharsharif in connection with Nalanda P.S. Case No. 48/2018.

(Sudhir Singh, J)

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