

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29164 of 2018

Arising Out of PS.Case No. -184 Year- 2018 Thana -SHERGHATI District- GAYA

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Parikshan Ram, S/o Matuk Ravi Das, R/o Vill.- Kobana, P.S.- Hantarganj,
District- Chatra (Jharkhand).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Kumar, Advocate.

For the Opposite Party : Mr. N.N.Tiwari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
08.04.2018 in a case for the offence registered under Sections
414/34 of the IPC and 30(d) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution story, in brief, is that total 400 Kg.
Mahua Flower is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. 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 400 Kg. Mahua Flower is recovered



from the car in question. The car in question does not belong to the petitioner. The Mahua Flower does not come within the meaning of intoxicant until and unless the same is fermented. 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 Court, Gaya, in connection with Sherghati (Dobhi) P.S. Case No. 184 of 2018.

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(Sudhir Singh, J)

