

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56001 of 2017

Arising Out of PS.Case No. -8 Year- 2017 Thana -MAHUA District- VAISHALI(HAJIPUR)

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1. Shivesh Kumar Rai, S/o Satya Narayan Rai, Resident of Village- Sharma,
P.S.- Mahua, District- Vaishali.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Section 414 of Indian Penal Code and Section 30(A) of Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that 3330 liters wine
is recovered from truck in question.

The petitioner is in custody since 15.09.2017. The
charge sheet has been submitted in the present case. The petitioner
has got no criminal antecedent. There is no allegation of tampering
of witnesses alleged against the petitioner. The petitioner has not
been apprehended on the spot. The petitioner is suspected to be
one of the persons, who fled away from the place of occurrence. It



is alleged that 3330 liters of wine is said to have been recovered from the truck in question. The truck in question does not belong to the petitioner. The petitioner had no knowledge regarding the alleged incident. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Vaishali at Hajipur, in connection with Mahua P.S. Case No.08/2017.

(Sudhir Singh, J)

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