

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3818 of 2018

Arising Out of PS.Case No. -137 Year- 2016 Thana -SARAI District- VAISHALI(HAJIPUR)

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Ved Pal @ Ved Pal Singh, Son of Amar Singh, Resident of Khelia Kalyanpur, P.S. Aharna, Upadh Tahsil Shikarpur, District Duland Sahar, State- Uttar Pradesh.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Surendra Kishore Thakur, Advocate.

For the Opposite Party : Mr. Uma Shankar Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 14-03-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 13.11.2017 in a case for the offence registered under Sections 30(a), 32(2), 38(1) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 2037.6 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. The petitioner was not apprehended on spot. It is alleged that total 2037.6 liters wine is recovered from the Truck and two other vehicles in question. The petitioner is said to be the owner of the Truck in question which is run by driver as a Public Carrier. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the nature of goods booked by the Transporter. 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 Additional District and Sessions Judge-II-cum-Special Judge, Vaishali at Hajipur, in connection with Sarai P.S. Case No. 137 of 2016.

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(Sudhir Singh, J)