

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4574 of 2018

Arising Out of PS.Case No. -194 Year- 2017 Thana -RAFIGANJ District- AURANGABAD

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Vikash Kumar, S/o Late Mahavir Prasad @ Late Mahavir Sav, R/o
Mohalla- Maharajganj, P.S.- Rafiganj, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shailesh Kumar Singh, Advocate.

For the Opposite Party : Mr. Nand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
26.11.2017 in a case for the offence registered under Sections
30(a), 38(i) and (ii) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 76 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 this 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 76 liters wine is recovered



from the motorcycle in question. The motorcycle in question does not belong to the petitioner. The name of the petitioner has come as he was pillion rider on the motorcycle in question. 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 Sessions Judge-VII-cum-Special Judge (Excise), Aurangabad, in connection with Rafiganj P.S. Case No. 194 of 2017.

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(Sudhir Singh, J)

