

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1428 of 2018

Arising Out of PS. Case No.-278 Year-2017 Thana- KUCHAIKOTE District- Gopalganj

Santosh Paswan son of Kapileshwar Paswan resident of village - Sayeen, P.S.
Kanti, District Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh

For the Opposite Party/s : Mr. CHAUBEY JAWAHAR

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-02-2018 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 272, 273, 420 of the I.P.C. and Sections 30(a)(b)(c) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 2059 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.10.2017 and has got no criminal antecedent. Charge sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 2059 liters wine is recovered from the truck in question. The petitioner is said to be the driver of the said truck. The truck was being used as a



public carrier. The petitioner had no knowledge regarding the nature of goods in question 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, 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 2nd Additional Sessions Judge, Gopalganj in connection with Kuchaikote P.S. case No.278 of 2017.

(Sudhir Singh, J)

Narendra/-

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