

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2978 of 2018

Arising Out of PS. Case No.-29 Year-2017 Thana- KALER District- Jehanabad

Sunil Kumar, Son of Jalim Rai, Resident of Village- Rampur Chakki, P.S.-
Runni Shaidpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar
For the Opposite Party/s : Smt. Renu Kumari, APP

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 Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

Prosecution case, in short, is that 1285 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 13.10.2017 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. The name of the
petitioner has transpired on the basis of disclosure made by the
co-accused namely Keshav Dev. Except for this, there is no



other substantive evidence to suggest the implication of the petitioner in this case. The petitioner has not been apprehended at the spot. It is alleged that 1285 liters wine is recovered from the truck in question. The petitioner had no knowledge regarding the alleged incident. Nothing has been recovered from the conscious possession of the petitioner. 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 Additional Sessions Judge-II, Jehanabad in connection with Excise Case No. 1115 of 2017 (arising out of Kaler P.S. Case No. 29 of 2017).

(Sudhir Singh, J)

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