

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3087 of 2018

Arising Out of PS. Case No.-97 Year-2017 Thana- KATRA District- Muzaffarpur

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Satrudhan Sahni, S/o Jawahar Sahni, R/o Vill. + P.O. Loma, P.S. Gaighat,
Distt. Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Mr. MANOJ KUMAR

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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 of the Indian Penal Code and Sections 30(a), 36 and 38 of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 738 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.09.2017 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 738 liters wine is recovered from the pick up van in question.



Petitioner is said to be the driver-cum-owner of the said pick up van. The said pick up van is used as a public carrier. 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 3rd Addl. Sessions Judge-cum-Special Judge, Excise, Muzaffarpur in connection with Katra P.S. Case No. 97 of 2017 corresponding to G.R. No. 491 of 2017.

(Sudhir Singh, J)

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