

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26575 of 2018

Arising Out of PS. Case No.-23 Year-2018 Thana- MAHUA District- Vaishali

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Nawlesh Kumar S/o Ram Milan Singh R/o Village - Bali Bathana (Madhual),
P.S. - Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 15-05-2018 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 414/34 of the Indian Penal Code and Sections 30(a), 32(ii) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 4112.610 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.3.2018 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 4112.610 liters wine is recovered from the truck and Bollero in



question. The truck and Bollero vehicles do not belong to the petitioner. The name of the petitioner has transpired as the motorcycle of the petitioner was also parked near the place of occurrence. No liquor is alleged to have been recovered from the motorcycle in question 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- Special Judge, Excise, Vaishali at Hajipur in connection with Mahua P.S. Case No. 23/2018.

(Sudhir Singh, J)

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