

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12048 of 2018

Arising Out of PS. Case No.-19 Year-2018 Thana- DAGARUA District- Purnia

Rajeev Kumar S/o Binod Yadav, R/o Village- Basha, P.S.- K. Nagar,
District.....

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 02-05-2018 Learned counsel for the petitioner is permitted to make necessary correction in paragraph 3 of the application in the light of statement made in the supplementary affidavit in course of the day.

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 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 126 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 3.2.2018. 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 126 liters wine is recovered from the car in question. The petitioner, being the driver, had no knowledge regarding the liquor kept in the car 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, 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 Additional Sessions Judge -cum- Special Judge, Excise, Purnea in connection with Dagaruwa P.S. Case No. 19/2018.

(Sudhir Singh, J)

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