

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60881 of 2017

Arising Out of PS. Case No.-103 Year-2017 Thana- MASRAKH District- Saran

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Lallan Rai son of Gulab Rai, resident of village Lauwa, P.S. Ishuapur, District Saran at Chapra

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. UPENDRA KUMAR

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 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 30(a), 38, 41 of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 4426 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.11.2017. 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 4426 liters wine is recovered from the truck in question. The name of the petitioner has transpired in the present case merely on the basis of secret information.



The source and genuineness of the secret information has not been disclosed by the prosecution. The petitioner has not been apprehended on the spot. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. 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 District and Sessions Judge 6th, Saran at Chapra in connection with Mashrak P.S. case No.103 of 2017.

(Sudhir Singh, J)

Narendra/-

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