

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62365 of 2017

Arising Out of PS.Case No. -233 Year- 2017 Thana -MUNGER MUFFASIL District- MUNGER

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Md. Harun son of Md. Ashique, resident of Village- Fatehpur, Police Station- Zeromile, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Najmul Hodda, Advocate.

For the Opposite Party : Smt. Renuka Ratnakar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 05.10.2017 in a case for the offence registered under Sections 30 and 32 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 64.65 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that 64.65 liters wine is recovered from a Boat



by the side of the river. There is no compliance of Section 100 Cr. P.C. Other co-accused has been granted bail by the learned court below itself vide Annexure-2 to the present bail application.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let 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 the learned Special Judge, (Excise), Munger, in connection with Mufassil P.S. case No. 233 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

