

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11430 of 2018

Arising Out of PS. Case No.-293 Year-2017 Thana- FATUHA District- Patna

Kara Ray @ Dinesh Ray, son of Babaji Ray, resident of Village- Garoho Chak, P.S.- Fatuha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand

For the Opposite Party/s : Mr. MATLOOB RAB

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-02-2018 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) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 140 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.07.2017. 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 140 liters wine is recovered from the side of the Railway Bridge. The petitioner has not been apprehended on the spot. The name of the petitioner has



transpired on the disclosure made by the local residents. 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 Special Judge, Excise, Patna in connection with Special case No.4351 of 2017 arising out of Fatuha P.S. case No.293 of 2017.

(Sudhir Singh, J)

Narendra/-

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