

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13744 of 2018

Arising Out of PS.Case No. -309 Year- 2017 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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Dilbahar, Son of Rasid, R/o Village Bandhuwa Kala Ps Bandhwakala
Distt.-Sultanpur (U.P.)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Soban Asghar, Advocate.

For the Opposite Party : Mr. Rajendra Singh Shastriji, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-03-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
20.11.2017 in a case for the offence registered under Sections
30(a), 32(ii) and 41(1) of the Bihar Prohibition and Excise Act,
2016.

The prosecution story, in brief, is that total 2529
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 total 2529 liters wine is recovered from the Truck in question. The petitioner is alleged to be the driver of the Truck. The name of the petitioner has come on the basis of alleged recovery made from the Truck. The petitioner had no knowledge regarding the liquor kept in the Truck. 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, 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 2nd Additional Sessions Judge-cum-Special Judge, Vaishali at Hajipur, in connection with Lalganj P.S. Case No. 309 of 2017.

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(Sudhir Singh, J)

