

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10816 of 2018

Arising Out of PS.Case No. -279 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
VAISHALI(HAJIPUR)

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Laxman Ray, Son of Laldeo Ray, Resident of Village- Chakwara Lodipur,
P.S. Hajipur Town, District- Vaishali.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Naresh Chandra Verma, Advocate.

For the Opposite Party : Mr. Mukeshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
22.12.2017 in a case for the offence registered under Sections
30(a) and 35(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 31.155
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/prosecution report 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 31.155 liters wine is recovered from *Bathan* of the petitioner. The name of the petitioner has come on the basis of alleged recovery made from *Bathan* of the petitioner. 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Vaishali at Hajipur, in connection with Excise Case No. C2A 279 of 2017.

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(Sudhir Singh, J)

