

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11265 of 2018

Arising Out of PS. Case No.-552 Year-2017 Thana- DEHRI TOWN District- Rohtas

Rajesh Kumar, S/o Panchu Sharma @ Pachu Sharma, R/o Village- Sakhara,
P.S.- Dehri (Town), District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy
For the Opposite Party/s : Mr. AMRENDRA PRASAD

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

A supplementary affidavit has been filed. The same is
kept on record.

In view of the supplementary affidavit, the petitioner
is permitted to make necessary correction in paragraph 3 of the
main application in course of the day.

The petitioner seeks bail in a case instituted for the
offences under Sections 30(a), 38 and 41 of the Bihar
Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 7215 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 28.07.2017. 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 7215 liters wine is recovered from the truck in question. The truck in question does not belong to the petitioner. Petitioner was labourer and at the time of occurrence, he was crossing by the side of the truck. He has no knowledge regarding the nature of goods kept inside the truck. He has no concern with the alleged recovery. 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 Sessions Judge-II-cum-Special Judge, Excise Act, Rohtas at Sasaram in connection with Dehri (T) P.S. Case No. 552 of 2017.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

