

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11982 of 2018

Arising Out of PS.Case No. -369 Year- 2017 Thana -MASRAKH District- SARAN

=====

Shambhu Rai @ Shambhu Ray, Son of Chandrama Ray, resident of
Village- Hansrajpur Khurd, P.S.- Baniyapur, District- Saran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Mukesh Kumar Singh, Advocate.

For the Opposite Party : Mr. Anish Chandra, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
30.12.2017 in a case for the offence registered under Sections 272,
273 of the IPC, 30, 30(a), 38 and 41 of the Bihar Prohibition and
Excise Act, 2016.

The prosecution story, in brief, is that total 4400
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 4400 liters wine is recovered from a Truck and two Pick-up Vans. None of the vehicles belongs to the petitioner. The petitioner is a labourer who was engaged in unloading the vehicles in question. He was arrested on spot. He had no knowledge regarding the goods unloaded from the vehicles in question. 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/ prosecution report.

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 6th A.D.J./ Special Judge, Excise, Saran, Chapra, in connection with Masrakh P.S. Case No. 369 of 2017.

U.K./-

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

(Sudhir Singh, J)

