

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11036 of 2018

Arising Out of PS.Case No. -359 Year- 2017 Thana -KUCHAIKOTE District- GOPALGANJ

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Md. Noor Alam @ Chalak Noor Alam, S/o Md. Hakim Ansari, R/o Village-
Tamkushi Raj, P.S.- Taraiya Sujana, Distt.- Kushi Nagar (U.P.).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Harendra Prasad, Advocate.

For the Opposite Party : Mr. Ashok Kumar Singh 1, 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
25.12.2017 in a case for the offence registered under Sections
30(a), (b) and (c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 35.280
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 35.280 liters



wine is recovered from the car in question. The car in question does not belong to the petitioner. The name of the petitioner has come on the basis of alleged recovery made from the car 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/ 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, Gopalganj, in connection with Kuchaikote P.S. Case No. 359 of 2017.

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(Sudhir Singh, J)

