

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26034 of 2018

Arising Out of PS. Case No.-34 Year-2018 Thana- GOVT. OFFICIAL COMPLAINT CASE
District- Sheikhpura

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Manish Kumar, Son of Sri Hare Ram Singh, Resident of Village- Ahiyapur
(Kuthaut), Police Station- Barbiga, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary
For the Opposite Party/s : Mr. Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

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

Prosecution case, in short, is that 56 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 9.4.2018. 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 56 liters wine is recovered from the
bush in an abandoned state. The name of the petitioner has



transpired on the basis of disclosure made by co-accused namely Deepak Kumar. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. 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 1st Additional District & Sessions Judge, Sheikhpura in connection with Excise Case No. 34C2/2018.

(Sudhir Singh, J)

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