

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39345 of 2018

Arising Out of PS. Case No.-296 Year-2018 Thana- SHERGHATI District- Gaya

Rajesh Kumar, Son of Sulekha Yadav @ Lekha Yadav, Resident of Village-
Dewanpur, Police Station- Sherghatti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2
For the Opposite Party/s : Mr. Smt Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-07-2018 Heard the learned counsel for the petitioner and

State.

The petitioner is in custody in connection with Sherghati (Dobhi) P.S. Case No. 296 of 2018 for the offence under Sections 272, 273 and 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent and was arrested in connection with seizure of 60 liters of Mahua wine. Learned counsel submit that petitioner was only a passenger in a vehicle where the liquor was seized and kept in a bag. Learned counsel submit that he has no concern with the liquor and he was neither the owner of the vehicle nor the owner of the liquor, only passenger in the vehicle. He submits that no requirement of



mandatory provision of Section 100 Cr.P.C.

Considering the fact that the petitioner has no criminal antecedent and he is in custody since 01.06.2018, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-cum-Excise, Gaya in connection with Sherghati (Dobhi) P.S. Case No. 296 of 2018.

(Anil Kumar Upadhyay, J.)

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