

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62523 of 2017

Arising Out of PS.Case No. -131 Year- 2017 Thana -MARKAHI District- KHAGARIA

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Manish Kumar Son of Lalbabu Ram Resident of Awas Board, behind
D.A.V. School, P.S. Chitragupta Nagar, District Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Diwakar Upadhyaya, Advocate.

For the Opposite Party : Mr. Manoj Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
22.08.2017 in a case for the offence registered under Sections
30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 8.970
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 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 8.970 liters wine is recovered from E-



Rickshaw on which the petitioner was sitting as a passenger. The petitioner had no knowledge regarding the liquor being carried on the said E-Rickshaw. There is no compliance of Section 100 Cr. P.C. Other co-accused persons have been granted bail by another co-ordinate Bench as well as by this Bench of the Court vide Cr. Misc. No. 48526 of 2017 dated 12.10.2017 and Cr. Misc. No. 50457 of 2017 dated 18.10.2017.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

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 3rd Additional Sessions Judge, Khagaria or Successor Court, in connection with Morkahi P.S. Case No. 131 of 2017.

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(Sudhir Singh, J)

