

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11803 of 2018

Arising Out of PS.Case No. -614 Year- 2017 Thana -MASAURHI District- PATNA

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Vinay Prasad, S/O Late Ram Deep Yadav @ Ram Deep Prasad Yadav,
R/V- Rewan, P.S. Masaurhi, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Amresh Kumar Sinha, Advocate.

For the Opposite Party : Mr. Kumar Ranjit Ranjan, A.P.P.

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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
08.12.2017 in a case for the offence registered under Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 46.5 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 46.5 liters



wine is recovered from the motorcycle. The petitioner was pillion rider on the said motorcycle in question and other co-accused Rakesh Kumar was driving the said motorcycle. The name of the petitioner has come on the basis of alleged recovery made from the motorcycle 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 Special Judge, Excise, Patna, in connection with Spl. Case No. 9003 of 2017, arising out of Masaurhi P.S. Case No. 614 of 2017.

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(Sudhir Singh, J)

