

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9674 of 2018

Arising Out of PS. Case No.-327 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Shug Mohammad, Son of Late Gultane Mian, Resident of Chhota Bareyarpur,
Police Station- Chatoni, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durga Narayan
For the Opposite Party/s : SMT. REENA SINHA

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-02-2018 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 15.630 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 8.12.2017. Charge-
sheet/prosecution report has been submitted in this case. There
is no allegation of tampering of witnesses alleged against the
petitioner. The name of the petitioner has transpired as the
alleged recovery is made from the joint house of the petitioner



where other family members also reside. It is alleged that 15.630 liters wine is recovered from the joint house of the petitioner. Petitioner has not been apprehended on the spot. 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 Special Judge, Excise, Motihari, East Champaran in connection with Chhatini Excise Case No. 327 of 2017.

(Sudhir Singh, J)

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