

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3419 of 2018

Arising Out of PS. Case No.-21 Year-2017 Thana- KALER District- Jehanabad

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Suresh Kumar (Driver H.R. 47B-3292), S/o Rimal Singh, Resident of
Village- Kanhaura P.S.- Palawas District- Rewari (Hariyana).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr.RAM BACHAN SINGH

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-02-2018 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 2651 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 01.08.2017 and has got no
criminal antecedent. 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 2651
liters wine is recovered from the truck in question. Petitioner is
driver of the said truck. The said truck is used as a public carrier.



Petitioner had no knowledge regarding the nature of goods in question booked by the transporter. 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 Additional Sessions Judge-II, Jehanabad in connection with Excise Case No. 886 of 2017 (arising out of Kaler P.S. Case No. 21 of 2017).

(Sudhir Singh, J)

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