

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.10782 of 2018**

Arising Out of PS.Case No. -129 Year- 2017 Thana -MOHAMMADPUR District- GOPALGANJ

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Raj Kumar, S/o Raghubir Singh, R/o Mohalla- Gopalnagar , P.S.-  
Najafgadh (Baba Haridash Nagar), District- Najafgadh, Delhi.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Nitu Kumari, Advocate.

For the Opposite Party : Mr. Lakshmi Kant Sharma, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      27-02-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is languishing in custody since  
30.12.2017 in a case for the offence registered under Sections  
120(B) of the IPC and 30(a) of the Bihar Prohibition and Excise  
Act, 2016.

The prosecution story, in brief, is that total 396 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 396 liters wine is recovered from the car in question. The petitioner is alleged to be the driver of the car in question. The name of the petitioner has come on the basis of alleged recovery made from the car 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 2<sup>nd</sup> Additional Sessions Judge-cum-Special Judge, Gopalganj, in connection with Mohamadpur P.S. Case No. 129 of 2017.

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**(Sudhir Singh, J)**

