

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25820 of 2018

Arising Out of PS.Case No. -370 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN(MOTIHARI)

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Golu Kumar, Son of late Mohan Sah, Resident of Village- Balua
Raghunathpur, P.S. Turkaulia, Dist. East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate.

For the State : Mr. Matloob Rab, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
31.12.2017 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 240 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 240 liters wine is recovered from the Tempo in question. The Tempo in question does not belong to the petitioner. The petitioner had no knowledge regarding the liquor kept in the said Tempo. 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 4th Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran, in connection with Excise Case No. 370 of 2017.

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(Sudhir Singh, J)

