

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11240 of 2018

Arising Out of PS. Case No.-55 Year-2017 Thana- PATEPUR District- Vaishali

Mintu Rai, Son of Kamlesh Rai, Resident of Village- Bardiha, P.S.- Patepur,
Dist- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand

For the Opposite Party/s : Mr. ANISH CHANDRA

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-03-2018 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 129 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.01.2018. 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 129 liters wine is recovered by the side of the bridge. The petitioner has not been apprehended on the spot. The name of the petitioner has transpired on the basis



of disclosure made by co-accused Ram Udesb Rai. 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. Other co-accused has been granted bail vide order dated 16.02.2018 passed in Cr. Misc. No. 62966 of 2017.

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-cum- Special Judge, Hajipur in connection with Patepur P.S. Case No. 55 of 2017.

(Sudhir Singh, J)

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