

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11309 of 2018

Arising Out of PS. Case No.-880 Year-2017 Thana- SAHARSA District- Saharsa

Ashok Yadav, Son of Surendra Yadav, Resident of Village- Dighia, P.S.-
Sadar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karuna Kant Jha
For the Opposite Party/s : Mr. NITYANAND

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner seeks bail in a case instituted for the
offences under Sections 30(a) of the Bihar Prohibition and
Excise Act, 2016.

Prosecution case, in short, is that 2379 liters wine is
recovered.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 15.12.2017. 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 2379 liters wine is recovered from
the truck in question. The name of the petitioner has transpired
in the present case on disclosure made by the co-accused



Joginder. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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, Saharsa in connection with Special (Excise) cse No.350 of 2017 arising out of Saharsa (Sadar) P.S. case No.880 of 2017.

(Sudhir Singh, J)

Narendra/-

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