

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11412 of 2018

Arising Out of PS. Case No.-428 Year-2017 Thana- BAKHTIARPUR District- Saharsa

Ajay Kumar Choudhary aged about 40 years son of Chandra Shekhar Choudhary, resident of Bhartiya Nagar, ward no.26, Batraha, P.S. Saharsa Sadar, District Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar

For the Opposite Party/s : Mr. BRAJENDRA NATH PANDEY

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), 38(1) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 182.200 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.12.2017 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 182.200 liters wine is recovered from the car in question. The petitioner is said



to be co-passenger in the car in question. The petitioner had no knowledge regarding the liquor kept in the car. 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 Act, Saharsa in connection with Special (Excise) case No.585 of 2017 arising out of Bakhtiyarpur P.S. case No.428 of 2017.

(Sudhir Singh, J)

Narendra/-

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