

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7647 of 2018

Arising Out of PS.Case No. -857 Year- 2017 Thana -ARARIA District- ARARIA

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Pramod Kumar Gupta, S/o Sikandar Prasad Gupta, Resident of village-
Patel Chowk, Ward No. 24, P.S.- Forbesganj, District- Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Gopal Kumar Jha, Advocate.

For the Opposite Party : Mr. Anant Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 27-02-2018

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
18.12.2017 in a case for the offence registered under Sections
30(a) and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 172.500
liters Eskuf Cough Syrup 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 172.500 liters Eskuf Cough Syrup (intoxicant medicines) is recovered from *Inova* vehicle and joint house of co-accused Salin. Out of which, only 500 ML Eskuf Cough Syrup is recovered from the vehicle in question on which the petitioner was sitting. The name of the petitioner has come on the basis of alleged recovery made from the vehicle in question on which the petitioner was sitting. 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 2nd Additional Sessions Judge-cum-Spl. Judge, Araria, in connection with Spl. Case No. 3283 of 2017, corresponding to Araria P.S. Case No. 857 of 2017.

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(Sudhir Singh, J)

