

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10398 of 2018

Arising Out of PS.Case No. -371 Year- 2017 Thana -NABINAGAR District- AURANGABAD

Prakash Kumar Singh, S/o Basant Kumar Singh, R/o Village- Mahuari,
P.S.- Husainabad, District- Palamu (Jharkhand).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ravindra Kumar, Advocate.

For the Opposite Party : Mr. Ram Priya Saran Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
29.12.2017 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 160 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. 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 160 liters wine is recovered from the
vehicle in question. The vehicle in question belongs to the



petitioner. The name of the petitioner has come on the basis of alleged recovery made from the vehicle in question. 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 Additional Sessions Judge-VIIth-cum-Special Judge (Excise), Aurangabad, in connection with Nabinagar P.S. Case No. 371 of 2017.

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(Sudhir Singh, J)

