

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29727 of 2018

Arising Out of PS. Case No.-390 Year-2017 Thana- TAJPUR District- Samastipur

Vimal Kumar Vimal @ Radhey Ray @ Vimal, Son of Siyaram Rai, Resident of Village- Gadhi Mohanpur, P.S.- Patori, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-05-2018 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 302, 307, 324, 325, 332, 333, 353, 34 of the Indian Penal Code, Section 27 of the Arms Act, and Sections 45, 47, 30(a) and 38(1) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that on confidential information the police intercepted a vehicle but the driver of the said vehicle started going back and dashed a police vehicle. Thereafter the accused started fleeing away and indiscriminate firing was made in which one police personnel received injury who later died in the hospital. On search, 281 liters wine is recovered from the said vehicle.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.12.2017. 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 281 liters wine is recovered from the car in question. The car in question does not belong to the petitioner. 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 Additional District & Sessions Judge-VI-cum- Special Judge, Excise Act, Samastipur in connection with Tajpur (Halai O.P.) P.S. Case No. 390 of 2017, G.R. No. 3519 of 2017.

(Sudhir Singh, J)

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