

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16843 of 2018

Arising Out of PS. Case No.-283 Year-2017 Thana- MANJHI District- Saran

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Bhim Singh @ Upendra Singh S/o Late Bir Bahadur Singh R/o Village
Belkunda, P.S. Jalalpur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh
For the Opposite Party/s : Md. Arif

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-04-2018 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, 30(a) and 38 of the Bihar
Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 2521 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 07.02.2018. 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 2521 liters wine is recovered from
the container. The petitioner was not apprehended on the spot.
His name has transpired on the basis of disclosure made by the



co-accused namely Kulwant Singh. 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 6th Additional Sessions Judge, Saran at Chapara in connection with Manjhi P.S. Case No. 283 of 2017.

(Sudhir Singh, J)

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