

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28854 of 2018

Arising Out of PS.Case No. -29 Year- 2018 Thana -JAKKANPUR District- PATNA

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Deepak Kumar Son of late Munna Prasad Resident of Mohalla- Kurthaul,
P.S. Parsa Bazar, District- Patna, at Present resident of Mohalla- Doopulwa,
New Purendrapur, P.S. Jakkanpur, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Achintya Anand, Advocate.

For the State : Mr. Iftekhar Mahmood. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
23.02.2018 in a case for the offence registered under Sections
30(a), 38, 41 and 47 of the Bihar Prohibition and Excise Act,
2016.

The prosecution story, in brief, is that total 5958
liters wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case. Charge sheet/prosecution report has been submitted
in the present case. There is no allegation of tampering with the



witnesses alleged against the petitioner. It is alleged that total 5958 liters wine is recovered from cattle shed of Amit Rai, Rajnandan Rai and Baban Rai. The petitioner is suspected to be involved alongwith other co-accused persons. The petitioner was not apprehended on spot. The petitioner had no knowledge regarding the alleged incident. There is no recovery of any liquor from conscious possession of 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, 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 Special Judge, Excise, Patna, in connection with Jakkanpur P.S. Case No. 29/2018 (Special Case No. 495 of 2018).

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(Sudhir Singh, J)

