

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7079 of 2019

Arising Out of PS. Case No.-698 Year-2018 Thana- NATHNAGAR District- Bhagalpur

ASLAM KHAN Son of Nishar Khan Resident of Sidhnagla, P.S.- Jagirabad
Nayabasti and District- Bulandsahar, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madan Mohan
For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1510 liters wine
is recovered.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against
the petitioner. The petitioner is in custody since 16-11-2018.
Charge sheet in this case has already been submitted. The
petitioner is alleged to be driver of the vehicle in question.
Except for this, there is no other substantive evidence to suggest
the implication of the petitioner in this case. It is alleged that
1510 liters wine is recovered from the truck, in question. The



truck in question does not belong to the petitioner. 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.

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 learned Special Judge Excise Act, Bhagalpur, in connection with Nathnagar P.S. Case No. 698 of 2018.

(Sudhir Singh, J)

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