

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22464 of 2019

Arising Out of PS. Case No.-264 Year-2017 Thana- KUCHAIKOTE District- Gopalganj

PUSHPENDRA KUMAR S/o Ajit Singh R/o village- Fatupura, P.S.- Tigaw,
District- Faridabad (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under Sections-272, 273, 420, 467, 468, 471, 120(B) of the Indian Penal Code and Section 30(a)(b)(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1719 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. It is alleged that 1719 liters wine is recovered. The petitioner is in custody since 02-02-2019. Charge sheet in this case has already been submitted. The petitioner has not been



apprehended on the spot. As per FIR, the petitioner has been implicated in this case merely on the basis of his mobile No. furnished by driver of the truck in question. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case. 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Gopalganj in connection with Kuchaikot P.S. Case No. 264 of 2017.

(Sudhir Singh, J)

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