

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21311 of 2019

Arising Out of PS. Case No.-219 Year-2019 Thana- HAJIPUR District- Vaishali

RAKESH KUMAR Son of Suresh Singh Resident of Village/Mohalla-Baghmali, Police Station-Hajipur Town, District-Vaishali (Hajipur).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under Sections-30(A)/38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 98.280 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 petitioner. The petitioner is in custody since 14-03-2019. The name of the petitioner has transpired in this case as the recovery was made from joint house of the petitioner where other family members also reside. Except for this, there is no other



substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 98.280 liters wine is recovered from joint house of the petitioner where other family members also reside. 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, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 219 of 2019.

(Sudhir Singh, J)

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