

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23651 of 2019

Arising Out of PS. Case No.-54 Year-2019 Thana- MOTIPUR District- Muzaffarpur

YUNIS, Gender-Male, aged about 36 years, Son of Late Umardin, Resident of village- Barot Bagpat, Idgaah Mata Colony, Ward NO.-08, P.S.- Bagpat, District- Bagpat, State- Uttar Pradesh.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mrs.Babita Kumari, Advocate.
For the Opposite Party : Mr.Abhay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-04-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 07.02.2019 in a case for the offence registered under Sections 420, 120(B)/34 of the IPC, 30(a), 38(i) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 1576.440 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the



present case. It is alleged that total 1576.440 liters wine is recovered from the Truck in question. The petitioner is alleged to be the driver of the Truck in question. He had no knowledge regarding the nature of goods booked by the Transporter. 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, Muzaffarpur, in connection with Motipur (Muzaffarpur) P.S. Case No. 54 of 2019.

(Sudhir Singh, J)

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