

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40120 of 2019**

Arising Out of PS. Case No.-79 Year-2019 Thana- RAFIGANJ District- Aurangabad

KHALIL KHAN, aged about 45 years (Male), Son of Hifayat Kha, Resident of Village- Maharajganj, P.S.- Rafiganj, District- Aurangabad.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Vishwa Ranjan Choudhary, Advocate.
For the Opposite Party : Mr.Ahtasham Ali Khan, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 01-07-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 20.03.2019 in a case for the offence registered under Sections 30(a) and 37(b) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that the petitioner was arrested in drunken condition by the police and total 10.5 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 has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is alleged to be found in drunken state and total 10.5 liters wine is recovered.



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 Additional Sessions Judge-VII-cum-Special Judge (Excise), Aurangabad, in connection with Rafiganj P.S. Case No. 79 of 2019.

(Sudhir Singh, J)

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