

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40356 of 2019

Arising Out of PS. Case No.-486 Year-2018 Thana- KHAJEKALA District- Patna

LALAN RAI, aged about 22 years, male, Son of Tukkan Ray, Resident of Bijli Office, Mitan Ghat, P.S.-Khajekalan, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Harish Kumar, Advocate.
For the Opposite Party : Mr.Rajesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-07-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 11.05.2019 in a case for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 360 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. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name has come in the present case on the confessional statement of co-accused. It is alleged that total 360 liters wine is recovered



from open field. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is not 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, Patna, in connection with Special Case No. 12095 of 2018, arising out of Khajekalan P.S. Case No. 486 of 2018.

(Sudhir Singh, J)

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