

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45546 of 2019

Arising Out of PS. Case No.-202 Year-2019 Thana- NAUGACHIA District- Bhagalpur

DILIP KUMAR Son of Late Maheshwari Prasad Yadav @ Bindeshwari
Prasad Yadav Resident of Village - Jhokair, P.S.- Pipra Bazar, Dist.- Supaul.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH THE COMMISSIONER, BIHAR
EXCISE DEPTT. PATNA. Bihar
2. Commissioner, Bihar Excise Department , Patna. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shruti Sinha

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 37(b) and 37(c) of the Bihar Prohibition
and Excise Act, 2016.

Prosecution case, in short, is that accused person was
caught in drunken state. There is no recovery of wine in this
case.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 25.6.2019 and has got no
criminal antecedent. Charge-sheet/prosecution report has been
submitted in this case. There is no allegation of tampering of



witnesses alleged against the petitioner. It is alleged that the petitioner was in drunken state. There is no recovery of wine from the possession of the petitioner.

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, it is directed that 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 2nd Additional Sessions Judge -cum- Special Judge, Excise, Bhagalpur in connection with Excise Case No. 479/19 arising out of Naugachhiya P.S. Case No. 202 of 2019.

(Sudhir Singh, J)

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