

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55374 of 2019

Arising Out of PS. Case No.-226 Year-2019 Thana- NAANPUR District- Sitamarhi

PRAMOD KUMAR YADAV @ PRAMOD KUMAR YADAVA, aged about 42 years (Male), Son of Laxman Prasad Yadav, Resident of Village-Bhupbhairo, P.S. and District-Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ashok Kumar Jha, Advocate.
For the Opposite Party : Mrs.Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-09-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 05.07.2019 in a case for the offence registered under Sections 30(a) and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 813.768 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/prosecution report 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



813.768 liters wine is recovered from the Pick-up vehicle. The petitioner is alleged to be owner of the vehicle in question. The said vehicle is run as a Public Carrier by the driver of the petitioner. The petitioner had no knowledge regarding the nature of goods carried out in the vehicle in question. 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 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Sitamarhi, in connection with Nanpur P.S. Case No. 226 of 2019.

(Sudhir Singh, J)

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