

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64047 of 2019

Arising Out of PS. Case No.-193 Year-2016 Thana- KUCHAIKOTE District- Gopalganj

PREM LAL YADAV, aged about 44 years, Gender-Male, Son of Late Narsing Yadav, Resident of Village-Baghari, Tola-Manorahi, Police Station-Runni Saidpur, District-Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Amit Kumar Jha, Advocate.
For the Opposite Party : Mr.Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-11-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 272, 273, 420 of the IPC, 47(a) and 47(g) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 515.52 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 24.05.2019. The petitioner has got no criminal antecedent. The petitioner has been made accused in the present case due to mistake of fact. Charge sheet/prosecution report has been submitted in the present case. There is no allegation of



tampering with the witnesses alleged against the petitioner. It is alleged that total 515.52 liters wine is recovered from the Truck in question. The petitioner is alleged to be the owner of the said Truck. The petitioner 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 IInd Additional Sessions Judge-cum-Special Judge, Excise Act, Gopalganj, in connection with Kuchaikote P.S. Case No. 193 of 2016.

(Sudhir Singh, J)

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