

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73434 of 2019

Arising Out of PS. Case No.-180 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

1. MOMAN TAKI Son of Md. Safi Resident of Village-Badoli, P.S-Jhinjhina, District-Shamali (U.P)
2. Umed Khan Son of Jahir Khan Resident of Village-Badoli, P.S-Jhinjhina, District-Shamali (U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-11-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case instituted for the offences under Sections 30(a), 32(1), 41(1) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 5205.640 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 24.06.2019 and have 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 petitioners. It is alleged that



5205.640 liters wine is recovered from the truck. The petitioner No.1 is driver and petitioner No.2 is the assistant driver of the truck in question. The petitioners had no knowledge regarding the nature of goods in question booked by the transporter. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioners, 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, Gopalganj in connection with Trial No.3178 of 2019 arising out of Kuchaikot P.S. case No.180 of 2019.

(Sudhir Singh, J)

Narendra/-

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