

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14598 of 2020

Arising Out of PS. Case No.-294 Year-2019 Thana- KARAHGAR District- Rohtas

NIRMAL CHAUDHARI Son of Late Lala Chaudhary Resident of Village-
Jangal Mahal, P.O.-Babhani, P.S.-Kargahar, District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 30 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. The petitioner is in custody since 10-12-2019. It is
alleged that 30 liters wine is recovered from an open field. The
open field, in question does not belong to the petitioner. The
petitioner has been made accused in the present case due to
mistake of fact. Nothing incriminating has been recovered from



the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. 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.

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 learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Rohtas at Sasaram in connection with Kargahar P.S. Case No. 294 of 2019.

(Sudhir Singh, J)

A.K.V.//-

U		T	
---	--	---	--

