

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14549 of 2020

Arising Out of PS. Case No.-518 Year-2019 Thana- BAHERA District- Darbhanga

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LAXMAN NAYAK Son of Ram Chandra Nayak Resident of Village -
Pohadi, P.S.- Bahera, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

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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
Sections 30(a), 32(iii) & 41(i) of the Bihar Prohibition and
Excise Act.

The prosecution case, in short, is that 3690.20 liters
wine is recovered.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against
the petitioner. The petitioner is in custody since 23-01-2020. It
is alleged that 3690.20 liters wine is recovered from the truck
and the car parked by the side of the road. The truck and the car
do not belong to the petitioner. Merely on the basis of suspicion,
the name of the petitioner has transpired in this case. The source



and genuineness of the secret information has not been disclosed by the prosecution. 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, Darbhanga in connection with G.O. Case No. 1326 of 2019 arising out of Bahera P.S. Case No. 518 of 2019.

(Sudhir Singh, J)

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