

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19246 of 2020

Arising Out of PS. Case No.-31 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

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RAM SINGH Son of Shivaht Singh Resident of Village and P.S.- Banthara,
Distt - Lucknow (U.P.)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey
For the Opposite Party/s : Mr.Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For
Orders” under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Section 30(a)/32(2)/41(1) of the Bihar Prohibition and Excise
Act, 2018.

The prosecution case, in short, is that 1774.800 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 03-02-2020. Charge sheet/Prosecution report in this case has already been submitted. It is alleged that 1774.800 liters wine is recovered from the DCM truck, in question. The petitioner is alleged to be owner of the truck, in question. He had no knowledge regarding the nature of goods, booked by the transporter. The petitioner denies the allegation of being owner of the truck, in question. In support of his contention, he draws the attention of this court towards Annexure-2 to the present application, which indicates that one Suraj Singh is said to be owner of the truck, in question. Nothing incriminating has been recovered from the conscious possession of the petitioner. 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 of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned Additional Sessions Judge-II, Gopalganj in connection with Kuchaikote P.S. Case No. 31 of 2020.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with



two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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