

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22496 of 2020

Arising Out of PS. Case No.-44 Year-2020 Thana- KURSAKANTA District- Araria

MD. SHAKLEN @ SHAKLEN Son of Late Abdul Rahman Resident of
Village - Garaiya, Ward No.13, P.s.- Kursakanta, Dist.- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar Rana
For the State	:	Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-09-2020 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.

Learned counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four weeks
from the date of lifting of the lockdown in the State of Bihar.

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 45 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. Charge sheet/Prosecution report in this case has already been submitted. The petitioner is in custody since 06-03-2020. It is alleged that 45 liters wine is recovered from the motorcycle in question. 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 of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned learned Additional Sessions Judge-II-cum-Special Judge, Excise, Araria in connection with Kursakanta P.S. Case No. 44 of 2020 corresponding to Spl. Case No. 262 of 2020.

(Sudhir Singh, J)

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