

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22363 of 2020

Arising Out of PS. Case No.-56 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

SONU S/o Asha Singh Resident of Village-Majra Sheela, P.S.-Gadarpur,
District-Udham Singh Nagar (Uttarakhand).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy
For the State : Smt. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-09-2020 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 Bihar Prohibition and Excise Amendment Act, 2018.

The prosecution case, in short, is that 4100 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 23-02-2020. It is alleged that 4100 liters wine is recovered from the truck, in question. The petitioner is the driver of the truck, in question. He had no knowledge regarding the nature of goods, booked by the transporter. 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, 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 Additional Sessions Judge-III-cum-Special Judge, Excise, Kaimur at Bhabua in connection with Mohania P.S. Case No. 56 of 2020 arising out of Excise Case No. 171 of 2020.

(Sudhir Singh, J)

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