

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27056 of 2020

Arising Out of PS. Case No.-154 Year-2019 Thana- MANJHI District- Saran

SAKIR HUSSAIN, Male, age about 25 years, Son of Maihar Miyan,
Residence of Village - Rudalpur, P.S.- Jalalpur, District - Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Nawal Kishore Singh, Advocate.

For the Opposite Party : Mr. Mustaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-10-2020 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 defects, as pointed out by the office, within a period
of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 30, 30(g), 38(i) (ii) of the Bihar



Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 310 liters wine is recovered from the Bolero vehicle.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 09.06.2020. The petitioner has got no criminal antecedent. Charge sheet/prosecution report has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 310 liters wine is recovered from the Bolero vehicle. The petitioner is not named in the F.I.R. The petitioner is said to be the owner of the vehicle in question. He had no knowledge regarding the nature of goods kept in the Bolero vehicle. There is no compliance of Section 100 of Cr. P.C.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R./complaint case.

Considering the facts and circumstances of the case, the petitioner above named, is directed to 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 the learned



2nd Additional Sessions Judge-cum-Special Judge, Excise,
Saran at Chapra in connection with Manjhi P.S. Case No.
154/2019.

(Sudhir Singh, J)

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