

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28156 of 2020

Arising Out of PS. Case No.-317 Year-2019 Thana- MIRGANJ District- Gopalganj

RAJU DAS Son of Asharfi Das Resident of Village - East Mohallah Mirganj,
P.S.- Mirganj, District - Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Mr.Sakir Ahmad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-11-2020 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 from the date of restoration of normalcy.

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

The petitioner seeks bail in a case instituted for the
offence under Section 30(a) of Bihar Prohibition and Excise
Act, 2016.

Prosecution case, in short, is that 37.900 liters of
liquor is recovered.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.06.2020. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has come in the present case by the local residents. The name of the local residents has not been disclosed by the prosecution. It is alleged that 37.900 liters of liquor is recovered from the cartoon. There is no recovery of any incriminating article from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 of 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 Additional Sessions Judge II, Gopalganj in connection with Mirganj P.S. case No.317 of 2019.

(Sudhir Singh, J)

Narendra/-

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