

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29707 of 2020

Arising Out of PS. Case No.-190 Year-2019 Thana- CHAPRA RAIL P.S. District- Saran

RAJU PRASAD, aged about 38 years, Male, Son of Late Dharam Nath Prasad, Resident of Village-Majhanpura Hata, P.S.-Manjhi, District-Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Alok Kumar Alok, Advocate.
For the Opposite Party : Mr. Md. Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-11-2020 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 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 Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 81.16 liters



wine is said to have been recovered from the two Motorcycles.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 06.08.2020. The petitioner has got no criminal antecedent. Charge sheet 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 81.16 liters wine is recovered from two motorcycles. Out of which, 38.32 liters wine is said to have been recovered from the Motorcycle bearing Registration No. BR-04L-7387 of of the petitioner. The petitioner is said to be the owner of the Motorcycle in question. He has given his Motorcycle to his co-villager for his personal use. He had no knowledge regarding the alleged occurrence. There is no recovery of any incriminating article from possession of the petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

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 Act,
Saran at Chapra, in connection with Rail Chapra P.S. Case No.
190/2019.

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(Sudhir Singh, J)

