

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29882 of 2020

Arising Out of PS. Case No.-337 Year-2020 Thana- CHAPRA MUFFASIL District- Saran

ARBIND KUMAR GIRI Son of Hari Shankar Giri Resident of Mohalla-
Araya Nagar, Giritola Imamaganj, Kathari Bag, P.S.- Chhapra Town, District-
Saran at Chhapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-11-2020 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
offences under Sections 30(A), 36, 38, 41(i) of Bihar Prohibition and
Excise Act, 2016.

Prosecution case, in short, is that 3465 liters spirit is
recovered.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.08.2020 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 3465 liters spirit is said to have been recovered from the truck and the house of co-accused Ricky Singh. The petitioner is said to be the labourer, who was loading and unloading the goods in question. The petitioner had no knowledge regarding the nature of goods. The petitioner has been made accused due to mistake of fact. 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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra in connection with Chapra Muffasil P.S. case No.337 of 2020.

(Sudhir Singh, J)

Narendra/-

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