

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29885 of 2020

Arising Out of PS. Case No.-270 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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JAI NARAIN KAPAR @ JAY NARAYAN KAPAR S/o Late Bindeshwar
Kapar Resident of Village- Khap (Kanhauli), Ward No. 8, P.S.- Kanhauli,
District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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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 defect(s), as pointed out by the office, within a period of
four weeks after restoration of normalcy.

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 the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 108 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. The petitioner is in custody since 14-07-2020. Charge sheet/Prosecution report in this case has already been submitted. The petitioner has been falsely implicated in the present case. It is alleged that 108 liters wine is recovered. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. 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 District & Sessions Judge-II-cum-Special Judge, Excise, Sitamarhi in connection with Case No. C2/270/20.

(Sudhir Singh, J)

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