

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32487 of 2020

Arising Out of PS. Case No.-414 Year-2020 Thana- PHULWARISHARIF District- Patna

ANNU KUMAR @ ANU KUMAR S/o Surendra Ray R/o- Bidupur Dih, P.S.-
Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Samir Kumar

For the Opposite Party/s : Mr.Mithilesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-12-2020 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 376.5 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 29-07-2020. Charge sheet/Prosecution report in this case has already been submitted. It is alleged that 376.5 liters wine is recovered from the Pick up Van, in question. The petitioner is said to be driver of the pick up Van, in question. The petitioner had no knowledge regarding the nature of goods being booked by the transporter. 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 Special Judge, Excise, Patna in connection with Phulwarisharif P.S. Case No. 414 of 2020.

(Sudhir Singh, J)

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