

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33711 of 2020

Arising Out of PS. Case No.-101 Year-2020 Thana- SINGHIYA District- Samastipur

MD. SAKIL @ MD. SHAKEEL Son of Tasleem Resident of Village -
Sakirma, P.S.- Kusheswar Asthan, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Naveen Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2020 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.

At the very outset, learned counsel for the petitioner
submits that in the prayer portion of the main application,
Sindhia P.S. Case No. 684 of 2020 has wrongly been mentioned
in place of Singhia P.S. Case No. 101 of 2020.

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 943 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 23-07-2020. Charge sheet/Prosecution report in this case has already been submitted. It is alleged that 943 liters wine is recovered from the house of Md. Irshad. The name of the petitioner has transpired in the present case as he happens to be brother-in-law of the co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. 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, Samastipur in connection with G.O. Case No. 526 of
2020 arising out of Singhia P.S. Case No. 101 of 2020.

(Sudhir Singh, J)

A.K.V.//-

U		T	
---	--	---	--

