

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33677 of 2020

Arising Out of PS. Case No.-310 Year-2020 Thana- SAKRA District- Muzaffarpur

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Suman Kumar, aged about 21 years, Son of Muntun Kumar, Resident of
Village - Sadikpur, Police Station - Sakra, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Gaurav Kumar, Advocate.

For the Opposite Party : Mr. Mritunjay Kumar Nirala, A.P.P.

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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 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 Sections 30 (a), 32(ii) and 41 of the Bihar
Prohibition and Excise Act, 2016.



The prosecution story, in brief, is that total 203.700 liters wine is said to have been recovered from different persons including the petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 11.07.2020. 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 203.700 liters wine is recovered from different persons. Out of which, it is alleged that total 63 liters wine is recovered from the petitioner. There is no recovery of any incriminating article from possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 of Cr. P.C.

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 aforesaid 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/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act,



Muzaffarpur, in connection with Sakra P.S. Case No. 310 of
2020.

(Sudhir Singh, J)

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