

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33620 of 2020

Arising Out of PS. Case No.-114 Year-2020 Thana- BACHHWARA District- Begusarai

RANA YADAV S/o Rajagop Ray Resident of Village- Ranitol, P.S.-
Bachhwara, District- Begusarai (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh

For the Opposite Party/s : Smt. Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-12-2020 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 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)/32(ii), 41(ii) of Bihar Prohibition and
Excise Act, 2016.

Prosecution case, in short, is that 230.490 liters wine is
recovered.

It has been submitted on behalf of the petitioner that the



petitioner is in custody since 11.07.2020. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 230.490 liters wine is recovered from the field of one Jageshwar Chaudhary. The name of the petitioner has transpired in this case merely on the basis of disclosure made by the local residents. The names of the local residents have not been disclosed by the prosecution. The petitioner had no knowledge regarding the alleged incident. There is no recovery of liquor from the conscious possession of the petitioner. 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, 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 Additional Sessions Judge 2nd-cum-Special Judge, Excise Act, Begusarai in connection with Bachhwara P.S. case No.114 of 2020.

(Sudhir Singh, J)

Narendra/-

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