

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80574 of 2019

Arising Out of PS. Case No.-97 Year-2019 Thana- BAUSI District- Purnia

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KULDEEP SHARMA @ KULDIP SHARMA Son of Khem Chandra Sharma
Resident of 60 FT Road, Alwar, P.S. Alwar, District- Alwar (Rajasthan).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Sinha

For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 272 & 273 of the Indian Penal Code and Sections
30(a), 41 & 47 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 4366 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 13-05-2019. Charge
sheet/Prosecution report in this case has already been submitted.
It is alleged that 4366 liters wine is recovered from the truck in
question. The petitioner is driver of the truck in question. The



petitioner had no knowledge regarding the nature of goods, booked by the transporter. 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, 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 learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Purnea in connection with Special Excise Case No. 367 of 2019 arising out of Baisi P.S. Case No. 97 of 2019.

(Sudhir Singh, J)

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