

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34698 of 2020

Arising Out of PS. Case No.-39 Year-2020 Thana- BISHWAMBHARPUR District-
Gopalganj

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OM PRAKASH SAH Son of Late Shyamlal Sah @ Late Samlal Sah Resident
of Village - Harpur Bazar, Naya Tola, P.S.- Gopalganj, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr. Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-01-2021 Learned counsel for the petitioner is directed to

remove the defect(s), as pointed out by the office, within a

period of four weeks.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Section 30(a) and 37(c) of the Bihar Prohibition and Excise Act,
2018.

The prosecution case, in short, is that 39 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 16-03-2020. Charge sheet/Prosecution report in this case has already been submitted. It is alleged that 39 liters wine is recovered by the side of the road. 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, Gopalganj in connection with Vishambharpur P.S. Case No. 39 of 2020.

(Sudhir Singh, J)

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