

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37819 of 2020

Arising Out of PS. Case No.-325 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

MANOJ KUMAR, aged about 37 years, Gender-Male, Son of Sri Jai Bhagwan, R/o Baba Haridas Nagar, Station Vihar, P.S.- Najbgarh, Dist- New Delhi.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Uday Pratap Singh, Advocate.
For the Opposite Party : Mr. Nityanand Tiwari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-02-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

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

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

The prosecution story, in brief, is that total 296.745 liters wine is said to have been recovered from the Pick-up Van in question.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since



22.08.2020 and 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 296.745 liters wine is recovered from the Pick-up Van in question. The Pick-up Van in question does not belong to 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 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 2nd Additional District & Sessions Judge, Gopalganj, in connection with Kuchaykote P.S. Case No. 325/2020.

(Sudhir Singh, J)

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