

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15286 of 2023

Arising Out of PS. Case No.-413 Year-2021 Thana- TAJPUR District- Samastipur

SAJAN KUMAR, aged about 21 years (Male), Son of Wakil Ray @ Wakil Ray, R/v- Vikrampur, P.S.- Tajpur, District- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mahendra Pratap, Advocate
For the Opposite Party : Mr. Bharat Bhushan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Tajpur (Halai O.P.) P.S. Case No. 413 of 2021 registered for the offence under Section 420 of the I.P.C. and Sections 30(a) and 41(2) of the Bihar Prohibition and Excise (Amendment) Act.

The prosecution case, in brief, is that total 1828.360 liters wine is recovered from two different vehicles.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.01.2023. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. There is no chance of trial being concluded in near future. It is alleged that total 1828. 360 liters wine is recovered from two



different vehicles. The petitioner is neither driver nor owner of the vehicles in question. The petitioner has been made accused in the present case only on the basis of confessional statement of co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no compliance of Section 100 of 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) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court-02, Samastipur, in connection with Tajpur (Halai O.P.) P.S. Case No. 413 of 2021.

(Sudhir Singh, J)

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