

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15136 of 2023

Arising Out of PS. Case No.-237 Year-2022 Thana- PHULWARIYA District- Gopalganj

MOKHTAR MIYA Son of Juma Rahim Miya R/V- Lamichaur, P.s- Bhore,
dist- Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Vyas Kumar Mishra, Advocate
For the Opposite Party : Mr.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner seeks bail in a case registered under
Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 103.209 litres
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 03-02-2023. He has
remained in custody for about three months. The charge sheet
has already been submitted in the present case. The trial is not
likely to be concluded in near future. It is alleged that 103.209
litres wine is recovered from the Scorpio. The petitioner is



alleged to be owner of the Scorpio. The said Scorpio is run as a public carrier. The petitioner had no knowledge regarding the nature of goods kept in the Scorpio. 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 the Court below/concerned Court in connection with Phulwariya P.S. Case No. 273 of 2022.

(Sudhir Singh, J)

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