

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.59000 of 2017**

Arising Out of PS. Case No.-293 Year-2017 Thana- RAJIVNAGAR District- Patna

Virendra Kumar, S/o Paras Nath Singh, Resident of Village- Khajpura, P.S.-  
Hawai Adda, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

|                    |   |                                                                                            |
|--------------------|---|--------------------------------------------------------------------------------------------|
| For the Petitioner | : | Mr. R. Griyaghey, Advocate<br>Mr. Anshu Dhar Sharma, Advocate<br>Mr. Sunil Kumar, Advocate |
| For the State      | : | Mr. Kumar Virendra Narayan, APP                                                            |

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2     13-12-2017             Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner is apprehending his arrest in a case registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is that 183 liters wine is recovered from automobile garage.

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 name of the petitioner has come on the basis of confessional statement of co-accused Roshan Kumar made before police as per F.I.R. Except for this, there is no other substantive evidence



to suggest the implication of the petitioner in this case. It is alleged that 183 liters wine is recovered from automobile garage. 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, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory 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 District & Sessions Judge VIII-cum-Special Judge (Excise), Patna in connection with Rajiv Nagar P.S. case No.293 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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