

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61039 of 2017

Arising Out of PS. Case No.-46 Year-2017 Thana- NOKHA District- Rohtas

Vijay Chaudhary, Son of Late Ram Krishna Chaudhary @ Ram Kishun Singh, Resident of village- Raghunathpur, Police Station- Nokha, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Adv.

For the Opposite Party/s : DR. INDIWAR KUMARI, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 272, 273, 120B of the I.P.C. and Section 30 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 4 liters wine is recovered from the dickey of the motorcycle.

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 not named in the F.I.R. The name of the petitioner has come in course of investigation. The petitioner is said to be owner of the motorcycle in question. The petitioner has given the said motorcycle to his nephew Pramod Kumar. Except for



this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 4 liters wine is recovered from the dickey of the motorcycle. 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 not 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 Sessions Judge II-cum-Special court, Excise, Rohtas at Sasaram in connection with Nokha P.S. case No.46 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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