IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60138 of 2017

Arising Out of PS.Case No. -124 Year- 2017 Thana -CHANDAUTI District- GAYA

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1. Karu Yadav, son of Late Binda Yadav, resident of Village- Kujapi, Police Station- Chandauti, District- Gaya.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Shailesh Kumar
For the Opposite Party/s : Mr. Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is apprehending his arrest in a case instituted under Sections 30(A) of Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 240 litres of liquor is said to have been recovered from a pick up van.

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 merely on suspicion. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 240 litres of liquor

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is said to have been recovered from a pick up van in question. 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 has been 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 anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Chandauti P.S. Case No. 124/2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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