

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61229 of 2017

Arising Out of PS. Case No.-150 Year-2017 Thana- DHANSOI District- Buxar

Niranjan Yadav son of Lalbachan Yadav, resident of village Panditpur, P.S.
Buxar(M), District Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha
For the Opposite Party/s : Mr. AMITESH KUMAR

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-12-2017 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 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1253 liters wine is 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 on the basis of confessional statement of co-accused Suraj Raj 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 1253 liters wine is recovered from a pick up van, which was being driven by Suraj Raj. The name of the petitioner has come being the owner of the said pick-up van run as a public carrier driven by the driver Suraj Raj. 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 A.D.J. II-cum-Special Judge (Excise), Buxar in connection with Dhansoi P.S. case No.150 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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