

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57561 of 2017

Arising Out of PS. Case No.-78 Year-2017 Thana- GIRIYAK District- Nalanda

Raj Kumar Sao S/o Devnandan Sao, R/o Village- Harnaut Bazar, P.S.-
Harnaut, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Ajeet Kumar

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is apprehending his arrest in a case registered under Sections 30, 37, 38, 41 of the Bihar Prohibition and Excise Act, 2016.

Allegation is that 135 liters wine is recovered from the car.

It has been submitted on behalf of the petitioner that 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 Dani Mahto 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 135 liters wine is recovered from the car in question. The said car does not belong to the petitioner. 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 A.D.J. VI-cum-Special Judge (Excise), Nalanda, Bihar Sharif in connection with Giriak (Katrisarai) P.S. case No.78 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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