

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55797 of 2017

Arising Out of PS. Case No.-135 Year-2017 Thana- BHANGWANPUR HAT District- Siwan

Ajay Roy @ Ajay Kumar son of Taplal Roy, resident of village Dabchau, P.S.
Basantpur, Distt. Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. NAVIN KUMAR PANDEY

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 272, 273, 308 of the I.P.C. and Sections 30A/41(1) of the Bihar Prohibition and Excise Act, 2016.

Allegation is that 1083 liters wine is recovered from a pick-up van.

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 secret information as per F.I.R. The source and genuineness of the secret information has not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest



the implication of the petitioner in this case. It is alleged that 1083 liters wine is recovered from a pick-up van. The pick-up van in question is run on hire by the driver of 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 C.J.M., Siwan in connection with Bhagwanpur Hat P.S. case No.135 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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