

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55621 of 2017

Arising Out of PS.Case No. -151 Year- 2017 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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MUNU SINGH @ MUNNA SINGH @ DHARMENDRA KUMAR @
DHARMENDRA SINGH Son of Virmani Singh, R/o Village- Rukhai, P.S.-
Chandi, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rabindra Kumar, Advocate.

For the Opposite Party : Smt. Pronati Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 420, 120(B) of the IPC,
30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 1142 liters
wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the present
case. It is alleged that 1142 liters wine is recovered from PACCS
Godown and two other vehicles. The petitioner has got no concern
with the aforesaid PACCS Godown and vehicles. The name of the



petitioner has come on the basis of secret information as per the 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. 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 or 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 the learned Additional Sessions Judge-VI-cum-Special Judge, Excise, Nalanda at Biharsharif, in connection with Chandi P.S. Case No. 151 of 2017, arising out of Special Case No. 6699 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)