

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60409 of 2017

Arising Out of PS. Case No.-33 Year-2017 Thana- CHANDAN District- Banka

Rakesh Singh @ Uttam Singh @ Uttam Kumar S/o Narender Kunwar, R/o
Village- Sobarsha, Tinkhutti Tola, P.S.- Bihpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha
For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2017 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(a)(g)/32(2) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 649 liters wine is recovered.

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 Rajesh Jha and Amit Kumar Chaudhary 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 649 liters wine is recovered from the vehicles in question. One of vehicles (I-10) is alleged to be of the petitioner. The petitioner denies the ownership of the car (I-10) 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 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 Addl. Sessions Judge II, Banka in connection with Chandan P.S. case No.33 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

