

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57273 of 2017

Arising Out of PS. Case No.-123 Year-2016 Thana- AIRPORT District- Patna

Horlicks Gope @ Ram Birendra Rai, Son of Late Fudeni Rai, Resident of
Village- Mahuabag, P.S.- Rupaspur, District- Patna (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. RAJEEV NAYAN

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 399, 401, 402, 414, 467, 468, 471 of the I.P.C. and Sections 47(a), 54, 63 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 13.5 liters wine is recovered.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 13.5 liters wine is recovered from the house in question. The petitioner does not reside in the said house. 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 Sub Judge XV-cum-Additional Chief Judicial Magistrate, Patna in connection with Hawai Adda P.S. case No.123 of 2016, 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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