

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61032 of 2017

Arising Out of PS. Case No.-214 Year-2017 Thana- TRIVENIGANJ District- Supaul

Ashish Agrawal @ Ashish Kumar Agrawal, Son of Pawan Kumar Agrawal,
resident of Mohalla- Ward No. 14, Girls High School Road, Triveniganj, P.S.
Triveniganj, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. INDRA KUMAR SINGH

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 Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1.5 liters wine is recovered from the kitchen of one Arun Yadav.

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 Arun Yadav 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 1.5 liters wine is recovered from the kitchen of one Arun Yadav. 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 not 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. District Judge 1st, Supaul in connection with S.T. Excise case No.639 of 2017 arising out of Triveniganj P.S. case No.214 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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