

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57108 of 2017

Arising Out of PS. Case No.-101 Year-2017 Thana- DAUDPUR District- Saran

Saroj Singh son of Late Babu Singh resident of village - Jaitpur, P.S. Daudpur,
District - Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh
For the Opposite Party/s : Mr. SURENDRA KUMAR

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 323, 353, 504/34 of the I.P.C. and Sections 30, 37, 45 of the Bihar Prohibition and Excise Act, 2016.

Allegation is that 1.47 liters wine is recovered from the shop.

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 disclosure made by the local residents as per F.I.R. The name of local residents has not been disclosed by the prosecution who has named the



petitioner. It is alleged that 1.47 liters wine is recovered from the shop in question. The said shop does not belong to 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 Sri M.P. Yadav, Judicial Magistrate, Saran at Chapra in connection with Daudpur P.S. case No.101 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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