

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59289 of 2017

Arising Out of PS. Case No.-290 Year-2017 Thana- MASRAKH District- Saran

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Anil Singh @ Anil Kumar Singh son of Late Rabindra Singh resident of
village - Pakri Narottam, PS - Panapur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar

For the Opposite Party/s : Mr. ASHOK KUMAR SINGH 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 272, 273 of the I.P.C. and Sections 30,
30(a), 38, 41 of the Bihar Prohibition and Excise Act, 2016.

Allegation is that 6000 liters of spirit is recovered from the
truck.

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 6000 liters of spirit is recovered from
a truck. Neither the petitioner is owner of the truck nor he has
been apprehended on the spot. The name of the petitioner has
come in the present case merely on the basis of suspicion.
Except for suspicion, there is no other substantive evidence to



suggest the implication of the petitioner in the present 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/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 6th Additional District Judge, Saran in connection with Mashrakh P.S. case No.290 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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