

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.61690 of 2017

Arising Out of PS.Case No. -178 Year- 2017 Thana -KARAHGAR District- SASARAM (ROHTAS)

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Arvind Kumar son of Vijay Chaudhary @ Birendra Chaudhary resident of
village - Raghunathpur, Police Station - Nokha, District - Rothas at
Sasaram..... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raghunandan Kumar Singh, Advocate.

For the Opposite Party : Mr. Dinesh Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 19-12-2017 Heard learned counsel for the petitioner and learned

counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution story, in brief, is that 09 liters wine
is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the present
case. It is alleged that 09 liters wine is recovered from the
Panchayat Bhawan. The name of the petitioner has come on the
basis of disclosure made by the local residents as per the F.I.R.
The name of the local residents who have named the petitioner has



not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this 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.

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 or 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 the learned Additional Sessions Judge-II-cum-Special Court, Excise, Rohtas at Sasaram, in connection with Kargahar P.S. Case No. 178 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)