

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29385 of 2018

Arising Out of PS. Case No.-293 Year-2017 Thana- PATNA CITY CHOWK District- Patna

Manoj Yadav S/o Sitab Rai, R/o Mohalla- Nahar Par, Kaimashikoh, P.S.-
Chowk, Patna City, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Shekhar

For the Opposite Party/s : Mr. Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 30(a) and 37(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 930 ml. 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. The name of the petitioner has transpired on the basis of disclosure made by the co-accused namely Nitish Kumar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 930 ml wine is recovered from the car in question. The car



in question 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./complaint case.

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 Special Judge, Excise, Patna in connection with Chowk P.S. Case No. 293 of 2017 (corresponding Special Case No. 6633 of 2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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