

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36860 of 2018

Arising Out of PS. Case No.-92 Year-2018 Thana- KAHAIYA District- Muzaffarpur

Ram Narayan Singh S/o Late Agnidev Singh, resident of Village- Saghanpura,
P.S.- Kathaiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 414, 272, 273 of the I.P.C. and Sections 30(A)/32(II), 38(II) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1.500 liters 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 informant has claimed to have identified the petitioner in the torch light. The petitioner is not acquainted with the informant nor the informant is acquainted with the petitioner. Due to village politics the name of the petitioner is being dragged in the present case. Except for this, there is no



other substantive evidence to suggest the implication of the petitioner in this case. The identification made by the informant in the torch light itself appears to be doubtful. It is alleged that 1.500 liters wine is recovered from the motorcycle. The motorcycle 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 learned Spl. Judge, Excise Act, Muzaffarpur in connection with Kathaiya P.S. case No.92 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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