

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41469 of 2018

Arising Out of PS. Case No.-3 Year-2018 Thana- ANGARGHAT District- Samastipur

Prem Babu @ Prembabu @ Prem Lal Ray @ Premlal Ray S/o Manilal Ray @
Mani Lal Rai, R/o Vill.- Birnama, P.S.- Angarghat, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Manish Kumar No 13, Advocate Mr. Rohit Kumar, Advocate
For the State	:	Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

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

The prosecution case, in short, is that 4.860 liters wine is recovered.

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 disclosure of co-accused Sunil Chaurasiya. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case.



It is alleged that 4.860 liters wine is recovered from co-accused Sunil Chaurasiya. 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 Additional Sessions Judge VI-cum-Special Judge, Excise, Samastipur in connection with Angarghat P.S. case No.3 of 2018 corresponding to G.R. No.88 of 2018, 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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