

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42310 of 2018

=====

Kamlesh Sahni, Son of Ram Sagar Sahni, Resident of Village- Chandauli,
Police Station- Ujiarpur, District- Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Pramod Kumar Singh

For the Opposite Party : Mr. Rana Randhir Singh

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 17-07-2018 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 Indian Penal Code and Sections-30(a), 38(1), 38(2), 41(1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 52.140 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 transpired on the basis of disclosure made by the co-accused namely, Umesh Jha. Except for this, there is no other substantive evidence to suggest the implication of the



petitioner in this case. It is alleged that 52.140 liters wine is recovered from a 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.

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 Sessions Judge-cum-Special Judge, Excise Act, Samastipur in connection with Dalsingsarai P.S. Case No. 332 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

U		T	
---	--	---	--

