

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47523 of 2018

Arising Out of PS.Case No. -203 Year- 2018 Thana -MASRAKH District- SARAN

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Kalicharan S/o Hari Sankar, R/o Village- Madanpur, P.S.- Nedhouli Kala,
District- Etah (U.P.).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjana

For the Opposite Party/s : Mr. Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-08-2018 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, 30(a), 38 & 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 3600 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 as the petitioner is owner of the truck in question. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged



that 3600 liters wine is recovered from the truck in question. The said truck is run as public carrier by driver of the petitioner through transporter. The petitioner had no knowledge regarding the nature of goods being booked by the transporter. 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 A.D.J. VI, Saran at Chapra in connection with Mashrakh P.S. Case No. 203 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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