

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51030 of 2018

Arising Out of PS. Case No.-165 Year-2017 Thana- SHAHKUND District- Bhagalpur

Abhishek Kumar Jha @ Raju Jha, Son of Sudhir Jha, resident of Village-
Hajipur, P.S. Shahkund (Sajour), District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-08-2018 Counsel for the petitioner is permitted to make

necessary correction in paragraph 3 of the petition in court of

the day.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner is apprehending his arrest in a case

registered under Section 30(a) of the Bihar Prohibition and

Excise Act, 2016.

The prosecution case, in short, is that 66.750 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 name of the petitioner has transpired as the car in

question belongs to the father of the petitioner. Except for this,



there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 66.750 liters wine is recovered from the car in question. 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 District & Sessions Judge-cum-Special Judge, Excise Act, Bhagalpur in connection with Shahkund (Sajour) P.S. case No.165 of 2017, 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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