

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50542 of 2018

Arising Out of PS.Case No. -161 Year- 2018 Thana -OBRA District- AURANGABAD

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Dhruv Kumar @ Dhrup Kumar, S/o Kapil Prasad Verma, R/o Village Gira
Bigha, P.S. Obra, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Section-30(a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, in short, is that 34 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 recovery is said to have been
made from the *DALAN* belonging to the joint family 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 34 liters wine is recovered from the *DALAN* belonging to the joint family of 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 7th Additional Sessions Judge-cum-Special Judge, (Excise), Aurangabad in connection with Obra P.S. Case No. 161 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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