

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52910 of 2018

Arising Out of PS. Case No.-54 Year-2018 Thana- KHANPURA District- Samastipur

Ajeet Kumar, Son of Anandu Mahto, Resident of Village- Madhu Tola, P.S.-
Khanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 47, 30(a), 35(a), 38(1), 38(2), 41(1), 41(2) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 558.360 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 Kishundeo Rai, Deepak Kumar, Sanjiv Kumar and Arvind Kumar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged



that 558.360 liters wine is recovered from four motorcycles and an open field. The motorcycles and the field in question do 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 A.D.J. 6th-cum-Special Judge, Samastipur in connection with Khanpur P.S. case No.54 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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