

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2200 of 2018

Arising Out of PS. Case No.-178 Year-2017 Thana- RAFIGANJ District- Aurangabad

Ashok Singh S/o Sudarshan Singh, resident of village Gothani, P.S. Rafiganj,
Distt. Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Mishra

For the Opposite Party/s : SMT. RENUKA RATNAKAR

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-01-2018 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(A), 38(1) and 38(2) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 606.400 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. It is alleged that 606.400 liters wine is recovered from a pick up van. The name of the petitioner has come on the basis of seized vehicle. The petitioner is said to be the owner of the vehicle in question. The said vehicle was being run by the driver of the petitioner as a public Carrier. Except for this, there



is no other substantive evidence to suggest the implication of the petitioner in this case. 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 Sessions Judge VII-cum-Special Judge (Excise), Aurangabad in connection with Rafiganj P.S. case No.178 of 2017 bearing G.R. No.1412 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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