

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55796 of 2018

Arising Out of PS.Case No. -29 Year- 2018 Thana -DERNI BAZAR District- SARAN

=====

Dularchand Rai @ Majnu Rai Son of Dharmnath Rai @ Handa Rai, resident
of Village- Pojhi, P.S.- Derni, District- Saran at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

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

The prosecution case, in short, is that 700 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 alleged recovery was made
from the field situated at the back of house of the petitioner and
from mango orchard behind the joint house 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 700 liters wine is recovered from two different places. 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 6th Additional Sessions Judge, Saran at Chapra in connection with Derni P.S. Case No. 29 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./-

U		T	
---	--	---	--

