

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57766 of 2018

Arising Out of PS. Case No.-134 Year-2018 Thana- BUXAR INDUSTRIAL District- Buxar

Aniket Kumar Mishra Son of Bharat Mishra, resident of Village- Hanuman
Mandir Ke Pichhe, Vishwamitra Colony, Niranjanpur, P.S.- Buxar Industrial
Area, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagdish Prasad

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

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

The prosecution case, in short, is that 172.8 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 in the
present case as the Aadhar Card of the petitioner was recovered
from the car in question. Except for this, there is no other
substantive evidence to suggest the implication of the petitioner



in this case. It is alleged that 172.8 liters wine is recovered from the car in question. The car in question does 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./complaint case.

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.-III-cum-Special Judge, Excise Act, Buxar in connection with Buxar (I) P.S. Case No. 134/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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