

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58800 of 2018

Arising Out of PS. Case No.-273 Year-2018 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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Manoj Kumar son of Ram Briksh Singh, resident of village Jagdamba Ki
Mandi Gali, Ram Dayalu Nagar, P.S. Kazi Mohammadpur, District
Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-09-2018 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(k)(Gha), 30(1)(2), 37(gha), 38(1)
(2), 41(1), 48 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 87 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
Rakesh Kumar. Except for this, there is no other substantive
evidence to suggest the implication of the petitioner in this case.



It is alleged that 87 liters wine is recovered from the School canteen. The petitioner has got no concern with the canteen in question. 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 Special Judge, Excise Act, Muzaffarpur in connection with Kazi Mohammadpur P.S. case No.273 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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