

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62367 of 2018

Arising Out of PS.Case No. -269 Year- 2018 Thana -MURLIGANJ District- MADHEPURA

=====

Raunak Kumar,S/o Ashok Kumar @ Ashok Kumar Yadav, Resident of
Village-Sakarpura, P.S. Madhepura (Bharrahi O.P.) District-Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Smt. Asha Kumari

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-10-2018 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) & 41(1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 315 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 on the basis of disclosure made by the co-accused namely, Rajesh Kumar Mandal. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 315 liters wine is



recovered from the vehicle in question. The vehicle 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.

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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Madhepura in connection with Murliganj P.S. Case No. 269 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	
---	--	---	--

