

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63701 of 2018

Arising Out of PS. Case No.-155 Year-2018 Thana- DAUDPUR District- Saran

Manoj Yadav son of late Surendra Yadav, resident of village Jhakhara, P.S.
Daudpur, District Saran at Chapra

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

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

The prosecution case, in short, is that 25.200 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired as the alleged recovery is made from the front of the house of the petitioner where straw was being kept and two motorcycles were parked. Except for this, there is no other substantive



evidence to suggest the implication of the petitioner in this case. It is alleged that 25.200 liters wine is recovered from the two motorcycles. None of the motorcycles in question belongs 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 Sixth Additional Sessions Judge (Special Excise Court), Saran at Chapra in connection with Daudpur P.S. case No.155 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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