

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62399 of 2018

Arising Out of PS.Case No. -319 Year- 2018 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

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Shishupal Kumar, S/o Badri Prasad @ Bahadur Prasad @ Badri Prasad @
Badar Prasad, Resident of Village-Devisarai, P.S. Deepnagar, District-
Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binit Kumar

For the Opposite Party/s : Smt Sangeeta Sharma

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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 Section-30(a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, in short, is that 130 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 on the basis
of disclosure made by the co-accused namely, Santosh Kumar and
Munna Kumar. Except for this, there is no other substantive
evidence to suggest the implication of the petitioner in this case. It



is alleged that 130 liters wine is recovered from one Atul Verma. 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-cum-Special Judge, Excise, Nalanda at Bihar Sharif in connection with Deepnagar P.S. Case No. 319 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./-

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