

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66173 of 2018

Arising Out of PS. Case No.-36 Year-2018 Thana- GOVINDGANJ District- East Champaran

Sonelal Kumar Yadav son of Durga Yadav, resident of village Jaga Pakad, P.S.
Harsidhi, District East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Smt Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 272, 273 of the I.P.C. and Sections 30(a), 38(1), 41(1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 426 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 petitioner is not named in the F.I.R. In course of investigation, the name of the petitioner has transpired on the confessional statement of co-accused Vijay Singh. Except for this, there is no other substantive evidence to suggest the



implication of the petitioner in this case. It is alleged that 426 liters wine is recovered from the Magic van. The Magic van 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 not 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 7th Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran in connection with Govindganj (Areraj) P.S. case No.36 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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