

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65545 of 2018

Arising Out of PS. Case No.-132 Year-2018 Thana- KALYANPUR District- Samastipur

Shiv Chandra Rai, s/o- Tilakdhari Ray, r/o- village Muktapur, P.S.- Kalyanpur,
District- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-10-2018 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 344 liters beer 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 as he is the landlord of the premises in question. The said premises has been given to one Pramod Sah who is the tenant of the premises in question. Except for this, there is no other substantive evidence



to suggest the implication of the petitioner in this case. It is alleged that 344 liters beer is recovered from the premises in question of Pramod Sah. 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./complaint case.

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 3rd Additional Sessions Judge -cum- Special Judge, Excise Act, Samastipur in connection with Kalyanpur P.S. Case No. 132/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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