

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.71040 of 2018**

Arising Out of PS. Case No.-73 Year-2018 Thana- SANJHOLI District- Rohtas

Upendra Singh @ Upendra Kumar son of Late Deep Narayan Singh,  
residence of village Khetal Pur, Police Station Sanjhauli, District Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Siddharth Harsh

For the Opposite Party/s : Smt. Veena Kumari Jaiswal

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      30-11-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 290 of the I.P.C. and 37(b)(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 250 ml 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 in the present case as the petitioner is the owner of the car. The car in question is run as taxi by the driver of the petitioner. Except for this, there is no other substantive evidence to suggest the



implication of the petitioner in this case. It is alleged that 250 ml wine is recovered from the car in question. 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 Additional District and Sessions Judge 2nd-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Sanjhauli P.S. case No.73 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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