

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75392 of 2018

Arising Out of PS. Case No.-483 Year-2018 Thana- BODHGAYA District- Gaya

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Tajinder Singh, S/o Balwant Singh, resident of House No. 725/3A, Gali No. 5,
Military Marg, Punjabi Basti, Anand Parvat, P.S. Karolbagh, New Delhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Anil Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 14-12-2018 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 160 ml. wine 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 in this case
as the petitioner is owner of the vehicle in question. The same is
run as public carrier by 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 160 ml. wine is recovered from the vehicle 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 Special Judge, Excise, Gaya in connection with Bodh-Gaya P.S. Case No. 483 of 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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