

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15241 of 2018

Arising Out of PS. Case No.-215 Year-2017 Thana- KAHAIYA District- Muzaffarpur

Manvendra Singh @ Pinku Singh @ Manvendra Kumar Singh S/o Ram
Badan Singh, R/o Village- Gauspur, P.S.- Kathaiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh

For the Opposite Party/s : Mr. MANOJ KUMAR - 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-03-2018 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 Indian Penal Code and Sections 30(A), 32(ii) and 38(ii) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that about 37 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 as the alleged recovery is made from the abandoned hut situated at the back of the house 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 about 37 liters wine is recovered from the abandoned hut 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./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 Special Judge, Excise, Muzaffarpur in connection with Kathaiya P.S. Case No. 215 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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