

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14294 of 2018

Arising Out of PS.Case No. -329 Year- 2017 Thana -BAKHTIARPUR District- SAHARSA

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1. Bhushan Singh @ Gyanshankar Singh S/o Nand Kishore Singh, R/o
Village- Balthi, P.S.- Bakhtiyarpur (Simiri Bakhtiyarpur), District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Sri Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-03-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections-30(a), 41(i), 38(ii) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 228 liters 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 against the petitioner. The name of the petitioner has come on the basis of secret information as per F.I.R. The source and genuineness of the secret information has not been disclosed by the prosecution. Except for this, there is no other



substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 228 liters wine is recovered from campus of Voda Mobile Tower. The said land, in question, belongs to the petitioner. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners 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.

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 A.D.J.-II-cum-Special Judge, Saharsa in connection with Special Case No. 407 of 2017 arising out of Bakhtiyarpur (Simri Bakhtiyarpur) P.S. Case No. 329 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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