

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15323 of 2018

Arising Out of PS. Case No.-180 Year-2016 Thana- BAUSI District- Purnia

Abdul Karim, son of Late Abdul Khalique, Resident of Village- Daulatpur,
P.S.- Baisi, District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh
For the Opposite Party/s : Mr. AJAY 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 Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1000 liters spirit 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 on the basis of disclosure made by the co-accused namely Biresh Singh and Sunil Singh. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 1000 liters spirit is recovered from



the truck in question. The truck in question does not belong to the petitioner. 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, Purnea in connection with Baisi P.S. Case No. 180 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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