

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8065 of 2018

Arising Out of PS. Case No.-625 Year-2017 Thana- SHERGHATI District- Gaya

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Araman Khan @ Md. Araman, S/o Asaraf Khan, Resident of Village- Khaira,
P.S.- Amas, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr.SHAILENDRA KUMAR SINGH

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-02-2018 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) and 30(d) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1680 kg mahua flower and 30 liters mahua liquor are 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 as the alleged recovery is made from the pick up van of the petitioner. The said pick up van of the petitioner was being run as a public carrier 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 1680 kg mahua flower and 30 liters mahua liquor are recovered from the pick up van of the petitioner in front of the house of one Surendra Yadav. 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 Excise Judge, Gaya in connection with Sherghati P.S. Case No. 625 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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