

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7157 of 2018

Arising Out of PS. Case No.-196 Year-2017 Thana- BARHARIA District- Siwan

Raju Kumar Singh @ Raju Singh, S/o Late Ram Baral Singh, R/o Village-
Puraina Tiwari Tola, P.S.- Barharia, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh
For the Opposite Party/s : Mr. AJAY KUMAR JHA

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 272, 273, 308 of the Indian Penal Code and Sections 35(A), 35(B), 36 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 11.250 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 alleged against the petitioner. The name of the petitioner has transpired on the basis of disclosure made by the local residents. The name of local residents, who have named the petitioner, 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 11.250 liters wine is recovered from open field at the back of the house of the petitioner in an abandoned state. 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 Additional Sessions Judge-II, Siwan in connection with Barharia P.S. Case No. 196 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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