

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.2716 of 2018**

Arising Out of PS.Case No. -415 Year- 2017 Thana -KADAMKUAN District- PATNA

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AKASH ARORA, Son of Late Suresh Arora, aged about 31 years, Resident of Flat No.302, Sudharshan Mansion Apartment, Near Congress Maidan, P.S.- Kadamkuan, Dist- Patna.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Nikhil Kumar Agrawal, Advocate.

For the Opposite Party : Mr. Akhileshwar Dayal, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      18-01-2018                      Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 30, 37(a)(d) and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 34.500 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 34.500 liters wine is recovered from



joint house of the petitioner where other family members also reside. The name of the petitioner has come on the basis of confession of co-accused made before police as per F.I.R. 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 or 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 the learned Special Judge, Excise, Patna, in connection with Kadamkuan P.S. Case No. 415 of 2017 (Special Case No. 5985 of 2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

