

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8818 of 2018

Arising Out of PS. Case No.-286 Year-2017 Thana- BRAHMPURA District- Muzaffarpur

Ashok Sah S/o Vasudeo Sah, R/o Mohalla- Sangam Chowk, P.S.-
Brahampura, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh
For the Opposite Party/s : Mr. MANISH KUMAR 2

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-02-2018 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, 290 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 5.500 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 in the present case as the alleged recovery is said to have been made from the snack point of the petitioner. It is alleged that 5.500 liters wine is recovered, which was kept beneath the bench of the shop in question.



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 3rd Addl. Sessions Judge-cum-Special Judge, Excise Act, Muzaffarpur in connection with Brahampura P.S. case No.286 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

