

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2990 of 2018

Arising Out of PS.Case No. -377 Year- 2017 Thana -JAHANABAD District- JEHANABAD

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Krishnanandan Sharma @ Kariman Singh Son of Late Chandeshwari
Sharma, Resident of Village- Noawan, Police Station- Shakurabad, District-
Jehanabad.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ramakant Sharma, Sr. Advocate and
Mr. Rajesh Kumar, Advocate.

For the Opposite Party : Mr. Anil Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-01-2018 Heard learned senior counsel for the petitioner and
learned counsel for the State.

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

The prosecution story, in brief, is that total 152.655
liters wine is said to have been recovered.

It has been submitted by learned senior 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. The petitioner is an old man aged about 72 years.
It is alleged that total 152.655 liters wine is recovered from Lodge in question
where other customers were staying in the room. Other customers



ran away when raid was made by the police. The name of the petitioner has come on the basis of being owner of the said Lodge in question where different customers used to come and stay on hire basis. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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 Additional Sessions Judge-II-cum-Special Judge (Excise), Jehanabad, in connection with Jehanabad P.S. Case No. 377 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)