

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6766 of 2018

Arising Out of PS. Case No.-5 Year-2018 Thana- SHANKARPUR District- Madhepura

Phul Chand Sharma @ Fultain Sharma, son of Late Chhutahru Sharma,
resident of Village- Shankarpur Ward No- 13, Panchayat- Sonbarsa, P.S.-
Shankarpur, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : SMT. PRONATI SINGH

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Section 506 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 750 ml 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 informant is the local resident of village. He has
falsely implicated the petitioner due to village politics. 750 ml
wine is said to have been produced by the informant at the local



police station with the allegation that the same belong to the petitioner. 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 Add. Sessions Judge 3rd Madhepura, in connection with Shankarpur P.S. Case No. 5 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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