

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7905 of 2018

Arising Out of PS. Case No.-116 Year-2017 Thana- DHAKA District- East Champaran

Jahid Hussain S/o Shikh Hamid, R/o Village- Ward No. 12, Senwariya,
Turkauliya, P.S.- Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. SHAILENDRA KUMAR -2

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 420, 120(B), 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 648 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 as being the owner of the vehicle in question. The said vehicle in question was being run by the driver of the petitioner as a public carrier. Except for this, there is no other substantive evidence to suggest



the implication of the petitioner in this case. It is alleged that 648 liters wine is recovered from the vehicle 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 Special Judge, Excise Act, Motihari in connection with Dhaka P.S. Case No. 116 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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