

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7926 of 2018

Arising Out of PS. Case No.-487 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Rohtas

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Goodu Kumar @ Guddu Kumar @ Goodu Saw @ Guddu Saw S/o Sri Nepal
Saw, R/o Village- Darihat, P.S.- Darihat, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. SANJAY KUMAR TIWARY

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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 Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that 38.2 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 the
alleged recovery is made from the back side of the house of the
petitioner from the open field. Except for this, there is no other



substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 38.2 liters wine is recovered from the open field in an abandoned state. 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 complaint.

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 Additional Chief Judicial Magistrate, Special Court, Rohtas in connection with Excise Case No. 487 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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