

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18232 of 2018

Arising Out of PS.Case No. -55 Year- 2018 Thana -KANKARBAGH District- PATNA

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1. Sanjay Kumar Das, Son of Sidheshwar Das, Resident of-R.M.S. Colony
(Ravidas Toal), P.S.-Karkerbagh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhinay Raj

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-03-2018 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 of the Indian Penal Code and Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 110 litres 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 has been made from the car and shop. Allegedly, the shop belongs to the petitioner. The said allegation made by the



prosecution is denied by the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 110 liters wine is recovered. 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, Patna in connection with Kankarbagh P.S. Case No. 55 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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