

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7230 of 2018

Arising Out of PS. Case No.-264 Year-2017 Thana- RIVILGANJ District- Saran

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Arun Kumar @ Arun Sah @ Arun Tatwa S/o Late Dharamnath Prasad, R/o Mohalla- Salempur, Mohan Mouna Nagar, P.S.- Chapra Town District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. NAND KISHORE PD

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-02-2018 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), 30/38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 2583 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 on the basis of disclosure made by the co-accused namely Jitendra Singh. Except for this, there is no other substantive evidence to suggest



the implication of the petitioner in this case. It is alleged that 2583 liters foreign liquor is recovered from the truck in question. The truck in question does not 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 Special Judge (A.D.J.-VI), Saran at Chapra in connection with Revilganj P.S. Case No. 264 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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