

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24123 of 2018

Arising Out of PS. Case No.-577 Year-2017 Thana- GOPALGANJ TOWN District-
Gopalganj

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Om Prakash Singh, son of Sri Janki Singh, Resident of Village- Banjari,
Police Station- Gopalganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parijat Saurav

For the Opposite Party/s : Mr. Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-04-2018 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 about 465 ml
wine is recovered.

It has been submitted on behalf of the petitioner that
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 petrol pump and the
petitioner is an employee on the said Petrol Pump. Hence he has
been made accused. Except for this, there is no other



substantive evidence to suggest the implication of the petitioner in this case. It is alleged that about 465 ml wine is recovered from the staff room of the Petrol Pump 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./complaint case.

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 District & Sessions Judge-II-cum- Special Judge, Excise Act, Gopalganj in connection with Gopalganj Town P.S. Case No. 577 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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