

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26186 of 2018

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

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Sanjay Singh, Son of Late Jagarnath Singh, Resident of Village- Harbansa
Sunderpatti, Post Office- Gopalganj, 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 30-04-2018 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 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 being the
employee of the petrol pump in question. The alleged recovery is
made from the staff room of the petrol pump in question. Except for
this, there is no other substantive evidence to suggest the implication
of the petitioner in this case. It is alleged that 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. Other co-accused has been granted anticipatory bail vide order dated 26.04.2018 passed in Cr. Misc. No. 24123 of 2018.

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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