

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6621 of 2018

Arising Out of PS.Case No. -316 Year- 2017 Thana -ROHTAS District- SASARAM (ROHTAS)

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MANOJ PRASAD @ MANOJ KUMAR, S/o Radha Prasad, R/o Piro, P.S.-
Piro, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Deovind Kumar Singh, Advocate.

For the Opposite Party : Mr. Dr. Ajeet Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution story, in brief, is that 8 persons were
apprehended in drunken state.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the present
case. It is alleged that 8 persons were apprehended in drunken
state. The breath analyzer test of 8 persons were conducted. The



said report is the part of the F.I.R. The name of the petitioner does not figure in the said report. Admittedly, no test was conducted in respect of the petitioner nor he was apprehended on spot. Surprisingly, the name of the petitioner was indicated in the accused column. There is no other substantive evidence to suggest the implication of the petitioner in this case. The petitioner had no knowledge regarding the alleged incident.

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 or 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 the learned Additional District and Sessions Judge-IIInd-cum-Special Judge, Excise, Rohtas, Sasaram, in connection with Rohtas P. S. Case No. 316 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)