

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22541 of 2018

Arising Out of PS. Case No.-214 Year-2017 Thana- SASARAM MUFFSIL District- Rohtas

Amresh Kumar S/o Mahendra Singh @ Mhendra Singh, R/o Vill.- Wajirganj,
P.S.- Sasaram (M), District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Md. Arif

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 30(a), 38(1)(2), 41(1)(2) of the Bihar Prohibition and Excise Act, 2016. and Sections 33, 41, 42 of the Indian Forest Act, 1927.

The prosecution case, in short, is that 792.835 liters 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 motorcycle of the petitioner was parked by the side of the truck in question which was carrying liquor. No liquor is recovered from the motorcycle 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 792.835 liters wine is recovered from the truck. 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 Additional Sessions Judge IInd-cum-Special Judge, Excise Act, Rohtas at Sasaram in connection with Sasaram (M) P.S. case No.214 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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