

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1246 of 2018

Arising Out of PS. Case No.-231 Year-2017 Thana- RAMKRISHNANAGAR District- Patna

Arbind Kumar Singh, S/o Late Jai Pratap Singh, Resident of village- Thatia,
P.S.- Rosera, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-01-2018 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)/37 of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 62 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 come on the basis of seized Mobile phone. The petitioner is said to be the owner of Mobile phone 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 62 liters wine is recovered from the car. The car in question does not belong to the petitioner. The petitioner is aged 70 years. 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, Excise, Patna in connection with Ram Krishna Nagar P.S. case No.231 of 2017, Special case No.5104 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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