IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31769 of 2018

Arising Out of PS.Case No. -107 Year- 2017 Thana -DUMRIAGHAT District-EASTCHAMPARAN (MOTIHARI)

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Anil Kumar Singh, Son of Anirudh Singh, Resident of Mohalla- Mehram Nagar Delhi Cant, P.S.- Delhi Cant, District- New Delhi.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :
For the Petitioner : Mr. Pravin Kumar
For the Opposite Party : Mr. Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 06-08-2018 Heard learned counsel for the petitioner and learned APP for the State.

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

The prosecution case, in short, is that 168.400 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 transpired as the petitioner is owner of the vehicle in question. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It

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is alleged that 168.400 liters wine is recovered from the car in question. The car in question is run by driver of the petitioner as a taxi. 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 4th Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran in connection with Dumariya Ghat P.S. Case No. 107 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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