

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38996 of 2018**

Arising Out of PS.Case No. -119 Year- 2018 Thana -JAKKANPUR District- PATNA

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1. Santy Kumar S/o Sri Om Prakash Sonar @ Om Prakash, R/o Vill.-  
Mithapur near at Bardhman, P.S.- Jakkanpur, Distt.- Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      11-07-2018                      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(a), 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 32.84 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 on the basis of disclosure made by the co-accused namely Vinod Kumar Sahani. Except for this, there is no other substantive evidence to suggest the implication of



the petitioner in this case. It is alleged that 32.84 liters wine is recovered from the house of Rakesh Kumar @ Bablu and Sunil Sahani. 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 Special Case No. 2286 of 2018, Jakkanpur P.S. Case No. 119 of 2018, 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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