

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42632 of 2018

Arising Out of PS. Case No.-190 Year-2017 Thana- BARAUNI District- Begusarai

Manish Kumar, Son of Sanjay Kumar, Resident of Village- Baha Chauki,
P.O.- Baha Chauki, Police Station- Dharhara, (Hemajapur O.P.), District-
Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Anil Kumar Singh, Advocate
For the State : Mr. Nityanand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

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

The prosecution case, in short, is that 360 ml wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired as the petitioner is alleged to be the owner of the car. The said car is run as taxi by the driver of the petitioner. Except for this, there



is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 360 ml wine is recovered from the car in question. 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 Addl. Sessions Judge II-cum-Special Judge, Excise, Begusarai in connection with Barauni (F.C.I.) P.S. case No.190 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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