

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42161 of 2018**

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Sanjay Kumar S/o Ramjivan Sah, R/o Vill.- Vishauri, P.S.- Birpur, District-  
Begusarai.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

=====

**Appearance :**

For the Petitioner : Mr. Manoj Kumar

For the Opposite Party : Mr. Pramod Kumar Pandey

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**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 Section-30(a) of the Bihar Prohibition and Excise Act,  
2016.

The prosecution case, in short, is that 881.40 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 he is said to be owner of the car.  
Except for this, there is no other substantive evidence to suggest  
the implication of the petitioner in this case. It is alleged that  
881.40 liters wine is recovered from a car which belongs to the



petitioner. The said car is run as a taxi by driver of 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 2<sup>nd</sup> Additional Sessions Judge-cum-Special Judge, Excise, Begusarai in connection with Begusarai (Muffasil) P.S. Case No. 531 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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