

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42491 of 2018

Arising Out of PS. Case No.-101 Year-2017 Thana- KAKO District- Jehanabad

=====

Guddu Sharma Son of Anil Sharma Resident of Village Kanhaichak, P.S.
Kinjar, District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 399, 402, 353 of the I.P.C. as well as Sections 25(1-b)A, 26, 35 of the Arms Act and Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 18 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 disclosure of co-accused Abhay Kumar Sharma, Pawan Kumar and Niti Paswan. Except for this, there is no other substantive evidence to suggest the



implication of the petitioner in this case. It is alleged that 18 liters wine is recovered from the car. The car in question does not belong to 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 Additional Sessions Judge II, Jehanabad in connection with Kako P.S. case No.101 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

