

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46769 of 2018

Arising Out of PS.Case No. -26 Year- 2018 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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1. Chandu Singh @ Chandra Prakash Singh Son of Sudhir Singh Resident
of Village- Minapur, P.S. Town (Hajipur), District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-08-2018 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 & 38 of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that 69.390 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 alleged recovery was made
from 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 69.390 liters wine is recovered from the car in question. The car in question belongs to the petitioner. The car is run by driver as 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 2nd Additional Sessions Judge-cum-Special Judge, Vaishali at Hajipur in connection with Town Hajipur P.S. Case No. 26 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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