

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.63076 of 2017

Arising Out of PS.Case No. -290 Year- 2017 Thana -MASRAKH District- SARAN

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Anil Singh, Son of Late Raghav Singh, Residents of Village- Gangauli,
Police Station- Masrakh, District- Saran at Chapra.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Narendra Kumar, Advocate.

For the Opposite Party : Mr. Sakir Ahmad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 09-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 272, 273 of the IPC and 30,
30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 6000 liters
spirit is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case. There is no allegation of tampering with the
witnesses alleged against the petitioner. It is alleged that 6000
liters spirit is recovered from the Truck in question. The Truck in
question does not belong to the petitioner. The name of the
petitioner has come on the basis of secret information as per the



F.I.R. The source and genuineness of the secret information has not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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. Other co-accused has been granted bail by this Court vide Cr. Misc. No. 59289 of 2017 dated 13.12.2017.

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 or 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 the learned Additional Sessions Judge-VIth, Saran at Chapra, in connection with Masrakh P.S. Case No. 290 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

