

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46413 of 2018

Arising Out of PS.Case No. -148 Year- 2017 Thana -KHAIRA District- JAMUI

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Md. Mobarak @ Mobarak, Son of Phool Mohammad, resident of Village-
Parsiya, P.S.- Jodapokhar District- Dhanbad (Jharkhand).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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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-272 & 273 of the Indian Penal Code and Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 2200 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 Tata Magic Pick Up Van belongs to 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 2200 liters wine is recovered from Pick up Van of the petitioner. The said Pick up Van is run by driver as a public career. 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, Jamui in connection with Khaira P.S. Case No. 148 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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