

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1214 of 2018

Arising Out of PS. Case No.-324 Year-2017 Thana- BUDDHACOLONY District- Patna

Pappu Kumar @ Pappu Mota Son of Mahesh Chaudhary Resident of
Mohalla-Budha Colony, Sona Medical Lane, P.S. Budha Colony, District
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lovekush Kumar

For the Opposite Party/s : SMT. VEENA RANI PRASADD.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-01-2018 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, 273/34 of the I.P.C. and Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The Prosecution case, in short, is that 4 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 basis of disclosure made
by the co-accused Mohan Bind as per F.I.R. Except for this,
there is no other substantive evidence to suggest the implication



of the petitioner in this case. It is alleged that 4 liters wine is recovered from the house of co-accused Mohan Bind. 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 A.D.J. VIII-cum-Spl. Judge Excise, Patna in connection with Budha Colony P.S. case No.324 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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