

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48536 of 2018

Arising Out of PS.Case No. -196 Year- 2018 Thana -SARAIYA District- MUZAFFARPUR

=====

Ajay Kumar @ Ajay Kumar Sah S/o Ram Ayodhya Sah, R/o Vill.-
Basantpur Patti, P.S.- Saraiya, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Vijay Kumar Singh

For the State : Mr. Nityanand Tiwary, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-08-2018 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 Sections-30(a), 38, 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 252.880 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 on the basis of disclosure made by the co-accused Ganesh Sah. Except for this, there is no other



substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 252.880 liters wine is recovered from the mango orchard. The mango orchard 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 Special Judge, Excise Act, Muzaffarpur in connection with Saraiya P.S. Case No. 196 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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

