

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47171 of 2018

Arising Out of PS.Case No. -288 Year- 2018 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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Rahul Kumar Singh @ Rahul Kumar @ Rahul Mangalam, S/O Arvind
Singh, R/V- Khambhar, P.S. Muffasil, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Advocate.

For the Opposite Party : Mr. Pradeep Narain Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-08-2018 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 Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution story, in brief, is that total 1301.655
liters wine 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 total



1301.655 liters wine is recovered. Out of which, 36 liters wine is said to have been recovered from the motorcycle bearing Registration No. BR-09U-1288 belongs to the petitioner. The name of the petitioner has come on the basis of seized motorcycle. The petitioner is alleged to be owner of the said Motorcycle. The said Motorcycle was given by the petitioner to a co-villager for his personal use. 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.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

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-II-cum-Special Judge, Bihar Prohibition Excise Act, 2016, Begusarai, in connection with Muffasil P.S. Case No. 288/2018,



subject to the conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

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(Sudhir Singh, J)

