

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48426 of 2018**

=====

Anil Kumar Sah S/o Bharat Sah@ Bharat Prasad Resident of Mohalla-  
Maruti Colony, P.S. Buxar(M), District- Buxar.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

=====

**Appearance :**

For the Petitioner : Mr. Arun Kumar Gupta

For the Opposite Party : Mr. Nagendra Prasad

=====

**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 Section 30(a) of the Bihar Prohibition and Excise  
Act, 2016.

The prosecution case, in short, is that 48.6 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, Sandeep Kumar Gupta. Except for this, there is no  
other substantive evidence to suggest the implication of the  
petitioner in this case. It is alleged that 48.6 liters wine is



recovered from the scooty in question. The scooty 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 2<sup>nd</sup> Additional District Judge-cum-Special Judge, Excise Act, Buxar in connection with Buxar (Industrial) P.S. Case No. 97 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 |  |
|---|--|---|--|

