

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59455 of 2018

Arising Out of PS. Case No.-39 Year-2018 Thana- TILAUTHU District- Rohtas

Ravi Kumar Yadav S/o Late Saheb Singh, resident of Village- Tilauthu, P.S. Tilauthu, District Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh
For the Opposite Party/s : Smt. Rita Verma

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 30(a), 34, 37(4)(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 45 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 disclosure of co-accused Baijnath Yadav. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 45 liters wine is recovered from the community



hall and the motorcycle. The motorcycle 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 Addl. District & Sessions Judge II-cum-Special Judge, Excise Act, Rohtas at Sasaram in connection with Tilauthu P.S. case No.39 of 2018, 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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