

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63023 of 2018

Arising Out of PS.Case No. -40 Year- 2018 Thana -HATHIDAH District- PATNA

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Manoj Singh, S/o Late Birendra Prasad Singh, resident of Village-Hathidah,
P.S. Hathidah, District-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Arun

For the Opposite Party/s : Smt. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-10-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 504 & 506 of the Indian Penal Code and Section-37(b)(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 750 ml. wine is recovered.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. It is a case where the petitioner is alleged to have used abusive language after taking liquor. No breath analyzer test was conducted to support the case of the prosecution. It is alleged that 750 ml. wine is recovered by side of the road. 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, Patna in connection with Hathidah P.S. Case No. 40 of 2018 corresponding to Special Case No. 5328 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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