

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58756 of 2018

Arising Out of PS. Case No.-210 Year-2018 Thana- BAKHTIYARPUR District- Patna

SURENDRA RAY @ SURENDRA RAH @ SULENDR SINGH, s/o- Late
Jai Mangal Ray, r/o- village Teja Bigha Lakhanpura, P.S.- Bakhtiyarpur,
District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha

For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-09-2018 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) and 37(c) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 5 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 as the field
in question belonged to the joint family of the petitioner.
Except for this, there is no other substantive evidence to suggest



the implication of the petitioner in this case. It is alleged that 5 liters wine is recovered from the field in question belonging to the joint family of 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./complaint case.

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, Patna in connection with Bakhtiyarpur P.S. Case No. 210 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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