

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69195 of 2018

Arising Out of PS. Case No.-295 Year-2018 Thana- DARIYAPUR District- Saran

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Santosh Singh @ Santosh Kumar Singh, resident of Village- Darihara
Bhuwal Nishak, P.S.- Dariyapur, District- Saran (Chapra).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Gajendra Kumar Singh, Advocate.
For the Opposite Party : Smt. Anusuiya Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-11-2018 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 Sections 30 and 30(a) of Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 63 liters
wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioner. It is alleged that total 63 liters wine is
recovered from the Pick-up Van in question. The name of the
petitioner has come in the present case on the basis of seized
Pick-up Van. The petitioner is alleged to be owner of the said



Pick-up Van. The Pick-up Van is run as a Public Carrier by the driver of the petitioner. 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 learned 6th Additional Sessions Judge-cum-Special Judge, Saran at Chapra, in connection with Dariyapur P.S. Case No. 295 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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