

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28255 of 2018

Arising Out of PS. Case No.-124 Year-2018 Thana- KOTWALI District- Patna

Deepak Kumar @ Dilip Kumar Son of Badri Prasad Gupta Resident of
Khemnichak, P.S.- Ram Krishna Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-05-2018 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)(c)(d)/34(b) of the Bihar Prohibition and Excise Act, 2016 and Sections 272, 273/34 of the I.P.C.

The prosecution case, in short, is that 20 kg bhang 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 Shyam Narain Singh and Raju Kumar. Except for this, there is no other substantive evidence to suggest the implication of the



petitioner in this case. It is alleged that the petitioner was selling thandai on the occasion of Holi. The said thandai was containing bhang also. Approximately 20 kg bhang is alleged to have been recovered. 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.

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 Special case No.1925 of 2018 arising out of Kotwali P.S. case No.124 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

