

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37998 of 2018

Arising Out of PS. Case No.-531 Year-2017 Thana- BEGUSARAI MUFFASIL District-
Begusarai

=====

Gautam Kumar, Son of Sunil Roy, Resident of Village- Sikandarpur, Ward
No.6, Rajaura, P.S.- Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam
For the Opposite Party/s : Mr. Matloob Rab

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

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

The prosecution case, in short, is that 882 liters wine is
recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent and there is no
allegation of tampering of witnesses alleged against the
petitioner. The petitioner is not named in the F.I.R. His name has
come in course of investigation merely on the basis of
suspicion. Except for this, there is no other substantive evidence



to suggest the implication of the petitioner in this case. It is alleged that 882 liters wine is recovered from the car and the field of one Dhiraj Kumar Rai. The car 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 not 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 Additional Sessions Judge II-cum-Special Judge, Excise Court, Begusarai in connection with Muffasil P.S. case No.531 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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

