

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61837 of 2018

Arising Out of PS. Case No.-126 Year-2018 Thana- DAUDNAGAR District- Aurangabad

Uday Kumar, Son of Late Saligram Sharma @ Saligram Sinha, Resident of
Village- Mahmadpur, P.S. Kako, District- Jehanabad, At present Gandhi
Nagar, Near Old D.M. Office, P.S. + District- Jehanabad.
... ..Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Santosh Kumar Pandey, Advocate.
For the Opposite Party : Mr. Nand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-11-2018 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 Section 30(a) of Bihar Prohibition
and Excise Act, 2016.

The prosecution story, in brief, is that total 590.25
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 590.25 liters wine is
recovered. Out of which, 112.5 liters wine is said to have been
recovered from the car in question. The petitioner is not named
in the F.I.R. His name has come in course of investigation. The
name of the petitioner has come in the present case on the basis



of seized car. The petitioner is alleged to be owner of the said car. The car is run as a Taxi 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 not 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 Additional Sessions Judge-VII-cum-Special Judge, (Excise), Aurangabad, in connection with Daudnagar P. S. Case No. 126 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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