

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1403 of 2018

Arising Out of PS.Case No. -239 Year- 2017 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

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1. Neeraj Kumar Singh @ Golu Singh, Son of Shree Mukesh Singh,
Resident of Ward No.8, Dhangain, Police Station Bikramganj, District
Rohtas.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kali Prasanna Dubey

For the Opposite Party/s : Mr. Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 272, 273 of Indian Penal Code and
Sections 30(a) of Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 192 litres of
liquor is recovered from a car in question.

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 secret information, as per F.I.R.
The source and genuineness of secret information has not been
disclosed by the prosecution. Except for this, there is no other
substantive evidence to suggest the implication of the petitioner in



this case. It is alleged that 192 litres of liquor is recovered from a car in question. 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 of the Cr.P.C. The other co-accused has been granted anticipatory bail vide Annexure-2 to the present application.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Bikramganj P.S. Case No.239/2017, on furnishing bail bond 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 Act, Rohtas at Sasaram, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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