

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18990 of 2018

Arising Out of PS. Case No.-174 Year-2017 Thana- RAMKRISHNANAGAR District- Patna

Nawal Rai @ Naval Yadav, Son of Late Kishun Rai, Resident of Mohalla-
Jaganpura, Police Station- Ram Krishna Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Smt. Pronati Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-05-2018 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)/47 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 50.340 liters wine 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 transpired as the petitioner is the landlord of the premises. The premises in question was given on rent to one Vikash Kumar and other co-accused. Except for this, there is no other substantive evidence to suggest the implication



of the petitioner in this case. It is alleged that 50.340 liters wine is recovered from rented premises of 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 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 District Judge IX-cum-Special Judge, Excise Act, Patna in connection with Ram Krishna Nagar P.S. case No.174 of 2017 , subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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