

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25036 of 2018

Arising Out of PS. Case No.-295 Year-2016 Thana- CHANDI District- Nalanda

=====

Sandeep Kumar Son of Sri Om Prakash Resident of Village/Mohalla-
Amarpura, P.S. Tahsil Narnaura, District Mahendragadh (Hariyana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 01-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 420 and 120B of the Indian Penal Code and Sections 30(A), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 3168.36 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 being owner of the truck in question. The said truck as run as public carrier by the driver of the petitioner. The petitioner had no knowledge regarding the nature of goods booked by the transporter. Except for this, there is no other



substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 3168.36 liters wine is recovered from the truck in question. 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./complaint case.

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 6th Additional District & Sessions Judge-cum-Special Judge, Excise, Nalanda at Biharsharif in connection with Chandi P.S. Case No. 295 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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

