

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42715 of 2018

Arising Out of PS. Case No.-417 Year-2017 Thana- PHULWARI District- Patna

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Mukul @ Mukul Anand @ Mukul Kumar, Son of Sri Om Prakash Sharma,
Resident of Village- Chechaul, Police Station- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-07-2018 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)(b)(c), 38(1), 41(1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 432 liters wine is recovered.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has come on the disclosure of co-accused Suresh Das. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 432 liters wine is recovered from the vehicle. The vehicle 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 named in the F.I.R./complaint.

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 Special Judge (Excise), Patna in connection with Special case No.3486 of 2017 arising out of Phulwarisharif P.S. case No.417 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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