

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54650 of 2018

Arising Out of PS. Case No.-211 Year-2016 Thana- PIPRAKOTHI District- East Champaran

Manish Kumar Singh, Son of Prabhunath Singh, Resident of Lawan Kala,
P.S.- Baniapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh
For the Opposite Party/s : Mr. Ahtash Ali Khan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-10-2018 Supplementary affidavit has been filed on behalf of the
petitioner. Same be kept on the record.

Counsel for the petitioner is permitted to make necessary
correction in paragraph 3 of the petition in the light of the statement
made in the supplementary affidavit in course of the day.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered
under Sections 272, 273, 414, 467, 468, 471, 120B of the I.P.C. and
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 5319 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



Tapeshwar Kumar Tiwari. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 5319 liters wine is recovered from the truck. The truck 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.

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 7th Additional Sessions Judge-cum-Special Judge, Excise, East Champaran in connection with Piprakothi P.S. case No.211 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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