

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20311 of 2018

Arising Out of PS. Case No.-230 Year-2017 Thana- SIWAN MUFFASIL District- Siwan

Upendra Singh, Son of Shiv Kumar Singh, Resident of Village- Ukhaie Balua Tola, P.S.- Siwan Muffasil, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Yogendra Kr. Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 272, 273, 308, 420 of the I.P.C. and Sections 41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 90 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 come on the basis of secret information as per F.I.R. The source and genuineness of the 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 90 liters wine is recovered from the house of Dudhnath Sah. 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 Sessions Judge 2nd-cum-Special Judge (Excise), Siwan in connection with Siwan Muffasil P.S. case No.230 of 2017, 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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