

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.118 of 2018

Arising Out of PS. Case No.-190 Year-2017 Thana- KASIMBAZAR District- Munger

Uttam Kumar @ Uttam Mandal, son of Vijay Mandal @ Patak Mandal,
resident of Mohalla- Naglok, Lallu Pokhar, Belan Bazar, P.S.- Kasim Bazar,
District- Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. SANJAY KUMAR PANDEY

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-01-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 30/32 of the Bihar Prohibition and
Excise Act, 2016.

Prosecution case, in short, is that 18 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 disclosure made
by the co-accused as per F.I.R. Except for this, there is no other
substantive evidence to suggest the implication of the petitioner



in this case. It is alleged that 18 liters wine is recovered from the motorcycle of co-accused. 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 Special Judge, Excise, Munger in connection with Kasim Bazar P.S. case No.190 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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