

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6874 of 2018

Arising Out of PS. Case No.-157 Year-2017 Thana- JANDAHA District- Vaishali

Prabhat Singh, son of Sakaldeo Singh, resident of Village- Mohiuddinpur
Garahi, P.S.- Jandaha, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. SRI RAJENDRA NATH JHA

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that about 16 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 on the basis
of disclosure made by co-accused Bablu Sahni before the
Police. Except for this, there is no other substantive evidence to
suggest the implication of the petitioner in this case. It is alleged



that about 16 liters wine is recovered from the possession of Bablu Sahni. 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 A.D.J.-2-cum-Special Judge, Excise, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 157 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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