

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45087 of 2018

Arising Out of PS. Case No.-128 Year-2018 Thana- KUCHAIKOTE District- Gopalganj

Abhay Singh S/o Late Chandrama Singh, R/o Vill.- Chauchakka Madho Math, P.S.- Kuchaikote, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Smt. Meena Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-07-2018 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, 41(a)(b) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 34.560 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 local Chaukidar 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 34.560 liters wine is



recovered from the hut of Kuber 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 Second Additional Sessions Judge-cum-Special Judge, Excise, Gopalganj in connection with Kuchaikote P.S. case No.128 of 2018, 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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