

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47782 of 2018

Arising Out of PS.Case No. -86 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District -
GAYA

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Vijay Sahu, S/o Bahali Sahu, Resident of Village-Garh Hasir, P.S. Kanke,
District-Ranchi (Jharkhand).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-08-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case
registered Sections-30(a) & 56(d) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that 40 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 as the petitioner is owner of the
motorcycle in question. The said motorcycle was given to the co-
villager for his personal use. Except for this, there is no other
substantive evidence to suggest the implication of the petitioner in



this case. It is alleged that 40 liters wine is recovered from the motorcycle in question. 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./Complaint.

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 Act, Gaya in connection with Excise Case No. 86 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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