

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50188 of 2018

Arising Out of PS.Case No. -162 Year- 2018 Thana -BAIKUNTHPUR District- GOPALGANJ

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Dhrup Singh @ Dhruv Singh S/o Nag Narayan Singh, R/o Vill.- Sirsa, P.S.-
Baikunthpur, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-08-2018 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), 41(i)(ii) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1503 liters wine is recovered.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired in this case is owner of the Pick up Van in question. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 1503 liters wine is



recovered from three different vehicles in question including the Pick up Van of the petitioner. The said Pick up Van is run as a public carrier by driver of the petitioner. 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 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Gopalganj in connection with Baikunthpur P.S. Case No. 162 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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