

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51634 of 2018

Arising Out of PS. Case No.-196 Year-2016 Thana- KHAIRA District- Jamui

Manish Kumar, Son of late Ashok Kumar Chaudhary R/o Village-
Lohiyanagar, P.S. Nagar, O.P. Lohiya Nagar, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kumar Kashyap
For the Opposite Party/s : Mr. Smt. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 47(a) and 47(F) of Bihar Excise (Amednment) Act, 2016.

The prosecution case, in short, is that 135 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 as the car in question belongs to the petitioner. The said car is run as taxi by the driver of the petitioner. The petitioner had no knowledge regarding the nature of goods carried in the car. Except for this, there is no other substantive evidence to suggest



the implication of the petitioner in this case. It is alleged that 135 liters wine is recovered from the car 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 case.

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 3rd Additional Sessions Judge, Jamui in connection with Khaira P.S. Case No. 196 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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