

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16835 of 2018

Arising Out of PS.Case No. -1052 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District -
SUPAUL

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1. Sudhir Yadav Son of Deo Krishna Yadav resident of Village - Gelia
Jhokar, Police Station - Pipra, District - Supaul

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Sri Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-03-2018 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 45 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
the co-accused namely, Chandra Kishore. Except for this, there is
no other substantive evidence to suggest the implication of the



petitioner in this case. It is alleged that 45 liters wine is recovered from the motorcycle. The motorcycle in question does not belong to 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./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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Supaul in connection with Misc. Excise Case No. 1052 of 2017 arising out of P.R. No. 73 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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