

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20674 of 2018

Arising Out of PS. Case No.-47 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

=====

Hemanth Kumar S/o Arvind Rai @ Nand Kishore Rai Resident of Village
Khatimpur, P.S. Ahiyapur, District Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nitu Kumari
For the Opposite Party/s : Smt. Reena Sinha

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-04-2018 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), 38 of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that 9 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 residents as per F.I.R. The name of local residents,
who have named the petitioner, has not been disclosed by the



prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 9 liters wine is recovered from the car. The car 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 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 2nd Addl. Sessions Judge-cum-Spl. Judge, Excise, Muzaffarpur in connection with Excise case No.47 of 2018 (P.R. No.80 of 17-18), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

U		T	
---	--	---	--

