

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2260 of 2018

Arising Out of PS. Case No.-805 Year-2017 Thana- SAHARSA District- Saharsa

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Satyendra Prasad Singh S/o Late Jagendra Prasad Singh R/o Vill. Alamnagar,
P.S. Alamnagar, Dist Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar

For the Opposite Party/s : Mr. AMITESH KUMAR

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-01-2018 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) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 80.250 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 in this case only on the basis that the alleged recovery has been made from the joint house of the petitioner. The petitioner does not reside in the said house. Except for this, there is no other substantive evidence to



suggest the implication of the petitioner in this case. It is alleged that 80.250 liters wine is recovered from the house 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 Sessions Judge 2nd-cum-Special Judge, Saharsa in connection with Sadar (Saharsa) P.S. case No.805 of 2017, Special case No.305 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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