

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3579 of 2018

Arising Out of PS. Case No.-397 Year-2017 Thana- TEKARI District- Gaya

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Dinesh Chaudhary Son of Indradev Chaudhary, Resident of Village-
Dumarsan, P.S. Tekari in the District of Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary
For the Opposite Party/s : SMT. GULNAR BEGAM

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-03-2018 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 17 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
secret information as per F.I.R. The source and genuineness of
the secret information 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 17 liters wine is recovered. 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 Special Judge, Excise, Gaya in connection with Tekari P.S. Case No. 397 of 2017 (G.R. No. 6562 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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