

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8626 of 2018

Arising Out of PS. Case No.-133 Year-2017 Thana- CHARIABARIYARPUR District-
Begusarai

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Golu Kumar Son of late Dilip Singh Resident of Village- Manjhaul, Tilak
Nagar, Police Station- Cheriya Bariarpur(Manjhaul), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shankar

For the Opposite Party/s : SMT RENU KUMARI

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 13-02-2018 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 and Section 414 of the Indian Penal Code.

The prosecution case, in short, is that 677.160 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-accuseds namely Murari, Bablu
and Krishna. Except for this, there is no other substantive



evidence to suggest the implication of the petitioner in this case. It is alleged that 677.160 liters wine is recovered from the truck, Bolero car and two motorcycles in question. None of the vehicles in question belongs 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.

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 Additional Sessions Judge-7th -cum-Special Judge, Excise Act, Begusarai in connection with Bariarpur (Manjhaul) P.S. Case No. 133 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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