

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9590 of 2018

Arising Out of PS. Case No.-166 Year-2017 Thana- GOPALPUR District- Gopalganj

Dhananjay Tiwary S/o Ramnath Tiwary, R/o Village- Tiwary Khareya, P.S.-
Gopalpur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Verma

For the Opposite Party/s : Mr. JAI NARAIN THAKUR

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 34 liters wine is recovered.

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 local Chowkidar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 34 liters wine is recovered from the back side of the house of the petitioner. The house in question is a joint



house of the petitioner where the other family members also reside. 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 District & Sessions Judge-II, Gopalganj in connection with Gopalpur P.S. Case No. 166 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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