

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8708 of 2018

Arising Out of PS. Case No.-577 Year-2017 Thana- GOPALGANJ TOWN District-
Gopalganj

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Raj Kamal Son of late Dilip Kumar Singh Resident of Village- Mukrera,
Police Station- Revilganj, District- Saran at Chapra, Proprietor and owner of
Maa Singhashini Petrol Pump Situated at N.H. 28 Banjari Road, Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh

For the Opposite Party/s : Mr. SANJAY KUMAR SHARMA

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-02-2018 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.

The prosecution case, in short, is that 555 ml 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 as being the owner of the
petrol pump in question. Except for this, there is no other
substantive evidence to suggest the implication of the petitioner



in this case. It is alleged that 555 ml wine is recovered from the sale counter and staff room of the petrol pump. 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 and Sessions Judge 2nd, Gopalganj in connection with Gopalganj Town P.S. case No.577 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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