

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8087 of 2018

Arising Out of PS. Case No.-188 Year-2017 Thana- DIGHWARA District- Saran

Amresh Singh S/o Late Haridwar Singh, R/o Village- Shitalpur Babu Tola,
P.S.- Dighwara in the District of Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. ANIL KUMAR SINGH 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 30(a) and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 90 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. Petitioner is not named in the F.I.R. The name of the petitioner has transpired on the basis of disclosure made by the local residents in course of investigation. The name of local residents, who have named the petitioner, 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 90 liters wine is recovered from the back of the house of co-accused Lal Baitha in an abandoned State. 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.

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-6, Saran, in connection with Dighwara P.S. Case No. 188 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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