

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7063 of 2018

Arising Out of PS. Case No.-208 Year-2016 Thana- RAMKRISHNANAGAR District- Patna

Raushan Singh S/o Ashok KUMar Singh Resident of Ashiyana Nagar Ram
Nagari P.s. Rajeev Nagar, District Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. AMITESH KUMAR

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 120B of the Indian Penal Code and Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that total 5700 liters wine is recovered.

There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has come on the basis of disclosure made by the co-accused namely Gulsan Kumar and Sujit Kumar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that total 5700 liters wine is recovered from godown of Mridul Kumar and from the truck



which was standing at Manbhawan Hotel, Koilwar. Neither the truck nor the godown 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 Special Judge, Excise, Patna, District- Patna in connection with Special Case No. 1000 of 2017 arising out of Ramkrishna Nagar P.S. Case No. 208 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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