

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22903 of 2018

Arising Out of PS. Case No.-883 Year-2017 Thana- MOTIHARI TOWN District- East
Champaran

=====

Dhiraj Kumar, Son of Late Mathura Sahani, Resident of Village- Belbanwa,
Police Station- Motihari (Town), District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar
For the Opposite Party/s : Smt. Veena Kumari Jaiswal

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-04-2018 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 73.6 liters wine
is recovered.

It has been submitted on behalf of the petitioner that
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-accused namely Munna
Kumar. Except for this, there is no other substantive evidence to
suggest the implication of the petitioner in this case. It is alleged



that 73.6 liters wine is recovered from the tempo in question. The tempo in question does not belong 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./complaint case.

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 4th Additional Sessions Judge -cum- Special Judge, Excise, East Champaran at Motihari in connection with Motihari Town P.S. Case No. 883 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

