

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38945 of 2018

Arising Out of PS.Case No. -58 Year- 2018 Thana -NOKHA District- SASARAM (ROHTAS)

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Ram Awtar Paswan, Son of Deo Muni Paswan, resident of Village Mani
P.S. Bikramganj, District- Rohtas at Sasaram.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-07-2018 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 3601.92 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. The name of
the petitioner has transpired in this case as a chit of paper with the
name of the petitioner was recovered from the dash board of the
truck in question. Except for recovery of the chit of paper
mentioning the name of the petitioner from the truck in question,
there is no other substantive evidence to suggest the implication of



the petitioner in this case. The truck was seized in an abandoned state. It is alleged that 3601.92 liters wine is recovered from the truck in question. The truck 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.

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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Nokha P.S. Case No. 58 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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