

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43132 of 2018

Arising Out of PS. Case No.-17 Year-2017 Thana- SAMSTIPUR RAIL P.S District-
Samastipur

=====

Rupesh Thakur @ Rupesh Kumar Thakur, Son of Late Braj Kishor Thakur,
Resident of Village- Pachhiyari Tabhka, P.S.- Bivutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Mr. Jai Prakash Singh
For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-07-2018 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 77.25 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 on the basis
of disclosure made by the co-accuseds namely Santosh Kumar,
Bhola Paswan and Rupesh Kumar Thakur. Except for this, there



is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 77.25 liters wine is recovered from the A.C. coach of a train. 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 Special Judge, Excise Act, Samastipur in connection with Rail Samastipur P.S. Case No. 17/2017 (G.R. No. 45/2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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

