

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42597 of 2018

Arising Out of PS. Case No.-46 Year-2018 Thana- PAHARPUR District- East Champaran

Bipin Kumar Yadav @ Bipin Yadav Son of Hari Shankar Yadav Resident of Village- Kamal Pipra (Tola Matiyani), Police Station- Paharpur, District- East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Smt. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 272, 273 of the I.P.C. and Sections 30(a)(b)(c), 33, 34, 36, 37(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 297 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 come on the disclosure of co-accused Manu Prasad. Except for this, there is no other substantive



evidence to suggest the implication of the petitioner in this case. It is alleged that 297 liters wine is recovered from a pick up van. The pick up van 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 Additional Sessions Judge VII-cum-Special Judge, Excise, East Champaran at Motihari in connection with Paharpur P.S. case No.46 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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