

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.44867 of 2018**

Arising Out of PS.Case No. -160 Year- 2018 Thana -MANJHI District- SARAN

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Pankaj Singh, S/o Ram Naresh Singh, R/o Vill.- Darihara Bhual, P.S.-  
Dariyapur, District- Saran.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Gajendra Kumar Singh, Advocate.

For the Opposite Party : Mr. Nand Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      25-07-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is apprehending his arrest in a case for  
the offence registered under Sections 30, 39(a) and 38 of the Bihar  
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 4440  
liters wine is said to have been recovered.

It has been submitted by learned counsel for the  
petitioner that the petitioner has falsely been implicated in the  
present case. There is no allegation of tampering with the  
witnesses alleged against the petitioner. It is alleged that total 4440  
liters wine is recovered from the Truck in question. The Truck in  
question does not belong to the petitioner. The name of the



petitioner has come on the basis of disclosure made by co-accused Chand Singh. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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 or 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 the learned 6<sup>th</sup> Additional Sessions Judge, Saran, in connection with Manjhi P.S. Case No. 160 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

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**(Sudhir Singh, J)**

