

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45907 of 2018

Arising Out of PS. Case No.-804 Year-2017 Thana- HAJIPUR District- Vaishali

Rajveer Singh son of Kailash Singh, resident of village Subhash Nagar,
Baaratpur, P.S. Atalband, District Bharatpur (Rajasthan)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar

For the Opposite Party/s : Smt. Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 188, 120(B)/34 of the I.P.C. and Sections 30, 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 4824 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired as the truck in question belongs to the petitioner. The said truck is run as public carrier by the driver of the petitioner. The petitioner had no knowledge regarding the nature of goods loaded on the truck



by the transporter. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 4824 liters wine is recovered from the truck in question. 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 A.D.J. II-cum-Special Judge of Excise Act, Hajipur, Vaishali in connection with Hajipur Town P.S. case No.804 of 2017 (G.R. No.5152 of 2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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

