

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48282 of 2018

Arising Out of PS. Case No.-197 Year-2017 Thana- HAZIPUR INDUSTRIAL District-
Vaishali

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Suraj Kumar Son of Om Prakash Bhagat@ Om Prakash Paswan Resident of
Village-Daud Nagar, Police Station- Bidupur Chakgraho Daudpur, District-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh

For the Opposite Party/s : Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered
under Sections 420, 467, 468, 469, 470, 471 of the I.P.C. and Section
30 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1335 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 Mobile of the petitioner is alleged
to have been recovered from the possession of co-accused Nirmal
Singh. Except for this, there is no other substantive evidence to
suggest the implication of the petitioner in this case. It is alleged that



1335 liters wine is recovered from the truck. 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 Additional Sessions Judge 2nd-cum-Special Judge, Vaishali at Hajipur in connection with Industrial Area P.S. case No.197 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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