

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53149 of 2018

Arising Out of PS. Case No.-294 Year-2018 Thana- JAKKANPUR District- Patna

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Lalbabu Bhakt @ Lalbabu Bhagat S/o late Ram Darash Bhakt @ late Ram Darash Bhagat Resident of Mohalla- Mitra Mandal Colony, Phulwarisarif, P.S. Phulwarisharif, District Patna at Present Indranagar Road No. 9 Mithapur Bus Stand P.S Jakkanpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 30(a), 38/41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 117.750 liters wine is recovered.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired as the petitioner is the owner of the car in question. Same is run as taxi by the driver of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner



in this case. It is alleged that 117.750 liters wine is recovered from the car 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 Special Judge, Excise, Patna in connection with Special case No.6278 of 2018 arising out of Jakkanpur P.S. case No.294 of 2018, 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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