

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66865 of 2018

Arising Out of PS. Case No.-276 Year-2018 Thana- ARA NAGAR District- Bhojpur

Tinku Kumar Son of Dadan Prasad Resident of Bind Toli, Police Station- Ara
Town in the District of Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-12-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner is apprehending his arrest for the offences
punishable under Section 30(a) of the Bihar Prohibition Excise
Act.

The allegation is of recovery of 1.080 liters of english
wine.

It is submitted by petitioner's counsel that recovery has
been made from the possession of co-accused Ram Ratan Ram
and not from the instant petitioner. It is also submitted that
recovery is contrary to the procedure prescribed under Section
100 Cr.P.C and prior to the instant case the petitioner has no
criminal antecedent.



In the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. Let the above named petitioner, in the facts and circumstances of the case, in the event of his arrest or surrender within four weeks from today, be released on bail on his furnishing bonds of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Bhojpur at Ara in Ara Town P.S. Case No. 276 of 2018 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code.

1. That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.

2. That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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