

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58973 of 2018

Arising Out of PS.Case No. -37 Year- 2018 Thana -MANJHI District- SARAN

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Mani Bhushan @ Mani Bhushan Singh, S/o Bijay Narayan Singh, R/o Chetan Chapra, P.S.- Baniapur, District- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Harsh Anuj, Advocate.

For the Opposite Party : Mr. Chandra Bhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-10-2018 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 413, 414 of the IPC and 30, 30(a) and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 2736 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 2736 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 in the present case on the basis of disclosure made by co-accused Rajesh Kumar. 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 6th Additional District Judge, Saran at Chapra, in connection with Manjhi P.S. Case No. 37 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)