

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69181 of 2018

Arising Out of PS. Case No.-256 Year-2018 Thana- TARAIYA District- Saran

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Kunal Singh @ Kunal Kumar Singh, S/o Late Sunil Singh @ Sushil Singh,
resident of Village and P.S.- Taraiya, District- Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Man Mohan Kumar, Advocate.
For the Opposite Party : Mr. Panchanand Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-11-2018 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 188, 272, 273 of the IPC,
30(a), 30, 38 and 41 of Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 215.4
liters wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioner. It is alleged that total 215.4 liters wine is
recovered. Out of which, 88.3 liters wine is said to have been
recovered from joint house of the petitioner. The name of the
petitioner has come in the present case on the basis of alleged



recovery made from joint house of the petitioner where other family members also reside. 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 learned 6th A.D.J., Saran at Chapra, in connection with Taraiya P.S. Case No. 256 of 2018, G.R. No. 8796/2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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