

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2597 of 2018

Arising Out of PS. Case No.-152 Year-2017 Thana- MOKAMAH District- Patna

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Kundan Kumar, Son of Sri Pramod Ram, Resident of Village- Mokama
Brahamsthan, Ward No.6, P.S. Mokama, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Manglam

For the Opposite Party/s : Mr. CHANDRA BHUSHAN PRASAD

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-01-2018 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) and 37(b) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 51 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has come on the disclosure made by the co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 51 liters wine is recovered from the co-accused.



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 8th Additional Sessions Judge-cum-Special Judge, Excise Act, Patna in connection with Mokama P.S. case No.152 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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