

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.543 of 2018

Arising Out of PS.Case No. -27 Year- 2016 Thana -AMBA District- AURANGABAD

=====

1. Sudhir Kumar S/o Chandeshwari Ram, R/o Village- Simri, P.S.- Amba,
District- Aurangabad (Bihar).

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Chaubey Jawahar

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 272, 273 of the Indian Penal Code and
47(a) of Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 50 litres of liquor
is said to have been recovered from the motorcycle in question.

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
petitioner is not named in the F.I.R. His name has come merely
on suspicion. Except for this, there is no other substantive
evidence to suggest the implication of the petitioner in this case. It



is alleged that 50 litres of liquor is recovered from the motorcycle 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 of the Cr.P.C. The other co-accused has been granted anticipatory bail vide Annexure-2 to the present application.

On behalf of the state, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Amba P.S. Case No.27/2016, on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum-Special Judge, Excise, Aurangabad, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Amit/-

U		T	
---	--	---	--

