

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29458 of 2018

Arising Out of PS. Case No.-299 Year-2017 Thana- MASRAKH District- Saran

Raman Kumar Sabarwal, Son of Late Rajendra Kumar Sabarwal, resident of Mohalla- 28/3, Lal Quarter, Navyug Market, Lohiya Nagar, P.S.- Ghaziabad, District- Ghaziabad, Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Manoj Kumar - 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-05-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 272, 273 of the Indian Penal Code and Sections 30, 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 6000 liters spirit 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 transpired on the basis of disclosure made by the co-accused namely Ram Dhiraj. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in



this case. It is alleged that 6000 liters wine is recovered from the truck in question. Neither the truck in question nor goods on the truck in question belong to the petitioner. The petitioner has got no concerned with the seized goods. 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. Other co-accuseds have been granted anticipatory bail vide Annexures-3 and 4 to the present application.

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/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 Additional District & Sessions Judge, Saran at Chapra in connection with Mashrakh P.S. Case No. 299 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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