

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27756 of 2018

Arising Out of PS. Case No.-155 Year-2017 Thana- SINGHIYA District- Samastipur

Shamasher Kujara, Son of Ali Ahmad Kujra, Resident of village- Pipra Ghat,
Ward No. 16, P.S.- Singhiya, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma

For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 30(a), 38(i)(ii), 41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 640.800 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 transpired as the motorcycle of the petitioner was parked by the side of the pick up van. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that



640.800 liters wine is recovered from the pick up van. The pick up van in question does not belong to the petitioner. 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 Addl. Sessions Judge IIIrd-cum-Special Judge, Excise, Samastipur in connection with Singhiya P.S. case No.155 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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