

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3123 of 2018

Arising Out of PS. Case No.-389 Year-2017 Thana- BARACHATTI District- Gaya

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Pankaj Kumar Singh, S/o Deo Nity Pd. Singh, Resident of A/461 Jait Pur Extension, P.S.- Badar Pura, New Delhi- 110044, District- South Delhi-44.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tilak Sao

For the Opposite Party/s : Mr. RAJENDRA NATH JHA

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-01-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 272, 273 of the I.P.C. and Sections 30(a), 38, 47 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that total 237 liters wine and beer are 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 basis of seized Innova car in question. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 237 liters wine and beer are recovered from the



car in question, which was being driven by brother of 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 Special Judge, Excise Act, Gaya in connection with Barachatti P.S. case No.389 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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