

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6780 of 2018

Arising Out of PS. Case No.-173 Year-2017 Thana- RAJNAGAR District- Madhubani

Omprakash Shah @ Om Shah, Son of Dukhi Shah, Resident of Village/
Mohalla- GilesanBajar (Suratganj) Ward No. 15, P.S.- Madhubani, District-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. BINOD KUMAR

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-02-2018 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, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1090.875 liters wine is recovered.

There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired on the disclosure made by the co-accused namely Mahakant Yadav @ Maha Yadav. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 1090.875 liters wine is



recovered from the house of co-accused Mahakant Yadav @ Maha Yadav. 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 Additional District & Sessions Judge,-II, Madhubani in connection with Rajnagar P.S. Case No. 173 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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