

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18515 of 2018

Arising Out of PS.Case No. -194 Year- 2017 Thana -MATIHANI District- BEGUSARAI

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Karu Kumar, S/o Lakshmi Singh @ Laxmi Chaudhary, Resident of
Village- Sihma, Uttarwari Tola, P.S.- Matihani, District- Begusarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Randhir Kumar No-1, Advocate.

For the Opposite Party : Mr. Tarkeshwar Nath Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-04-2018 A supplementary affidavit has been filed on behalf of

the petitioner. The same may be kept on the record.

Learned counsel for the petitioner is permitted to
make necessary correction in the main anticipatory bail
application in light of the supplementary affidavit filed on behalf
of the petitioner.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution story, in brief, is that total 70.560
liters wine is said to have been recovered.



It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 70.560 liters wine is recovered from the ditch situated at the back side of house of the petitioner. The name of the petitioner has come on the basis of disclosure made by co-accused Nitish Kumar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned Additional Sessions Judge-II-cum-Special Judge, Excise, Begusarai, in connection with



Matihani P.S. Case No. 194 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

