

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19008 of 2018

Arising Out of PS.Case No. -192 Year- 2017 Thana -RAGHUNATHPUR District- SIWAN

=====

Abhishek Prasad @ Abhishek Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Sri Sakir Ahmad

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-04-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections-341, 323, 307, 353, 504, 272, 273, 308/34 of the Indian Penal Code and Sections-30, 38 & 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1.8 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 recovery is alleged to have been made from the motorcycle of the petitioner. The said motorcycle was given by the petitioner to the co-villager for his



personal use. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 1.8 liters wine is recovered from a car in question. The car in question does not belong to the petitioner. Nothing incriminating has been recovered from the motorcycle in question. 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, Siwan in connection with Raghunathpur P.S. Case No. 192 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

U		T	
---	--	---	--

