

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9786 of 2018

Arising Out of PS.Case No. -136 Year- 2017 Thana -LAKHISARAI District- LAKHISARAI

Sonelal Kumar, S/o Late Shiv Sagar Singh, R/o Bihar Zeromile, Gurdaspur Tola, ward No.15, P.S.- Barauni, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Karandeep Kumar, Advocate.

For the Opposite Party : Smt. Renuka Ratnakar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-02-2018 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 Sections 272, 273, 290 of the IPC, 30(a), 32(b) and 38(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 342 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 342 liters wine is recovered from Scorpio and Bolero vehicles in question. The name of the petitioner has come on the basis of alleged recovery made from Bolero vehicle belonging to the petitioner from which only 189 liters wine is said to have been recovered. The said Bolero vehicle is run as Taxi by the driver of the petitioner. 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. Other co-accused has been granted bail by this Court vide Cr. Misc. No. 54722 of 2017 dated 13.12.2017.

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 Special Judge (Excise), Lakhisarai, in connection with Lakhisarai (Kawaiya) P.S. Case No. 136 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)

