

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22005 of 2018

Arising Out of PS. Case No.-188 Year-2017 Thana- DIGHWARA District- Saran

Ashok Rai @ Ashok Kumar Rai S/o Ambika Rai R/o Village- Chhattar Chapra, P.S. Dighwara, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 18-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 188 of the I.P.C. and Sections 30(a)/38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 90 liters wine is recovered.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. In course of investigation, name of the petitioner has come indicating his involvement in illegal liquor trade. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 90 liters wine is



recovered from the bush by the side of the house of Lal Baitha. 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 not 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 6th Additional Sessions Judge, Saran in connection with Dighwara P.S. case No.188 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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