

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27640 of 2018

Arising Out of PS.Case No. -330 Year- 2017 Thana -BIHIYA District- BHOJPUR

=====

Hemaraj Singh, S/o Ram Bachan Singh, Resident of Village- Baruna,
Police Station- Bihiya, District- Bhojpur Ara.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Rajiva Ranjan, Advocate.

For the State : Mr. Amit Kumar Rakesh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-05-2018 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 of the Indian Penal
Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 3.600
liters wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case. There is no allegation of tampering with the
witnesses alleged against the petitioner. It is alleged that total
3.600 liters wine is recovered from open field of co-accused
Deepak Kumar Sah @ Deep Bhai. The name of the petitioner has



come on the basis of disclosure made by the co-accused, namely, Deepak Kumar Sah @ Deep Bhai. 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 4th Additional Sessions Judge, Bhojpur, Ara, in connection with Excise Case No. 5505 of 2017, arising out of Bihiya P.S. Case No. 330 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

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

(Sudhir Singh, J)

