

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30209 of 2018

Arising Out of PS. Case No.-45 Year-2018 Thana- ISHAKCHAK District- Bhagalpur

Shambhu Lal Bhagat @ Shambhu Lal Son of late Kishan Lal Bhagat Resident of Mohalla- Ishak Chak, Iswar Nagar, Police Station Ishak Chak, in the district of Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Prasad Roy

For the Opposite Party/s : Mr. Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-05-2018 Heard learned counsel for the petitioner and learned APP for the State.

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

The prosecution case, in short, is that 1080 ml wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired as the car in question belongs to the son of the petitioner. Except for this, there is no other substantive evidence to suggest the implication



of the petitioner in this case. It is alleged that 1080 ml wine is recovered from the car in question. 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.

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, Bhagalpur in connection with Ishak Chak P.S. case No.45 of 2018, 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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