IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50425 of 2018

Arising Out of PS.Case No. -48 Year- 2018 Thana -NALANDA District- NALANDA (BIHARSHARIFF)

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PAWAN KUMAR S/o Krishna Singh, R/o Vill.- Kool, P.S.- Nalanda, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Bijay Prakash Singh
For the Opposite Party/s : Mr. Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-08-2018 Heard learned counsel for the petitioner and learned APP for the State.

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

The prosecution case, in short, is that 78 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 name of the petitioner has transpired as recovery is said to be made from abandoned poultry farm. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 78 liters wine is

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recovered from abandoned poultry farm belonging to joint family of the petitioner. 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 6th Additional District & Sessions Judge-cum-Special Judge, Excise, Nalanda at Bihar Sharif in connection with Nalanda P.S. Case No. 48 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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