

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.69841 of 2018**

Arising Out of PS. Case No.-119 Year-2018 Thana- SULTANGANJ District- Patna

Raju Kumar S/o Shrikant Mahto @ Shrikant Prasad, resident of Mohalla Yadav Lane Mushlahpur, P.S. Sultanganj, District Patna, at present residing at Rampur Nahar Road, near Sai Mandir, beside of Bridge, Renter of Omprakash Mahto, P.S. Bahadurpur, District Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Bhanu Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2     27-11-2018                      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(a), 32(2), 41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 7.500 liters 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 alleged recovery is made from the premises, which was taken on rent by the joint family 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 7.500 liters wine is recovered from the premises 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./complaint case.

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, Patna in connection with Special case No.4733 of 2018 arising out of Sultanganj P.S. case No.119 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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