

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55614 of 2018

Arising Out of PS. Case No.-126 Year-2018 Thana- SOHSARAI District- Nalanda

=====

Pramod Chaudhary Son of Rabindra Chaudhary Resident of Mohalla -
Sohdih, P.S. Sohsarai, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Premchandra Yadav

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-09-2018 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 and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 15 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired on the basis of disclosure made by the co-accused namely Mukesh Choudhary. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 15 liters wine is recovered from Mukesh Choudhary. 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. Other co-accused has been granted anticipatory bail vide order dated 16.7.2018 passed in Cr. Misc. No. 41320 of 2018.

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 Additional Sessions Judge -VI-cum- Special Judge, Excise, Nalanda at Biharsharif in connection with Sohsarai P.S. Case No. 126 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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

