

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44010 of 2018

Arising Out of PS. Case No.-92 Year-2018 Thana- JALALPUR District- Saran

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Dhanu Pratap Singh @ Dhanu Pratap @ Dev Singh, son of Mahatam Singh,
r/o- village Chand Barwa, P.S.- Masrakh, District- Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2018

Heard learned counsel for the petitioner and learned APP
for the State. A supplementary affidavit has been filed on behalf of
the petitioner which is kept on record.

Counsel for the petitioner is permitted to make necessary
correction in paragraph 3 of the application in the light of statement
made in the supplementary affidavit.

The petitioner is apprehending his arrest in a case
registered under Section 467, 468, 471, 420 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1002 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 on the basis of
disclosure made by the co-accused namely Banti and Pawan. Except



for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 1002 liters wine is recovered from the truck in question. The truck in question does not belong to 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./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 VIth Additional Sessions Judge, Saran at Chapra in connection with Jalalpur P.S. Case No. 92 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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