

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45409 of 2018

Arising Out of PS. Case No.-312 Year-2017 Thana- SONO District- Jamui

Mithun Paswan son of Jawahar Paswan, resident of village Indapai, P.O. Amari, P.S. Jamui, District Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 26-07-2018 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)/41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 120 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 petitioner is alleged to be the owner of the tempo. The said tempo is run as public carrier by the driver 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 120 liters wine is recovered from the tempo 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 2nd Addl. Sessions Judge, Jamui in connection with Sono P.S. case No.312 of 2017, 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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