

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51130 of 2018

Arising Out of PS. Case No.-285 Year-2018 Thana- ALAMGANJ District- Patna

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Santosh Kumar S/o Sri Girish Singh @ Krishna Nandan Singh, resident of
A/P C/o Sarwan Kumar, Magadh Colony, Chasma Centre, Kurzi, Sadakt
Ashram, P.S. Digha, Dist. Patna, permanent address Govind Fulkaha, P.S.
Kanti, Dist. Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tilak Sao

For the Opposite Party/s : Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

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

The prosecution case, in short, is that 180 ml 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 car in
question belongs to the petitioner. The said car is run as taxi 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 180 ml wine is recovered from the car 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.

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 Act, Patna in connection with Special case No.5326 of 2018 arising out of Alamganj P.S. case No.285 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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