

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68592 of 2018

Arising Out of PS. Case No.-13 Year-2018 Thana- AMBA District- Aurangabad

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Nitesh Kumar Singh, Son of Ram Kumar Singh, Resident of House No.J-121/
9A, Saurabh Vihar,P.S. Badarpur, New Delhi-110044.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Amit Kumar, Advocate.
For the Opposite Party : Mr. Nityanand Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-11-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 30(a) and 38 of Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 80 liters
wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioner. It is alleged that total 80 liters wine is
recovered from the car in question. The name of the petitioner
has come on the basis of seized car. The petitioner is alleged to
be owner of the said car. The car is run as a 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. 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 or 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-VII-cum-Special Judge (Excise), Aurangabad, in connection with Amba P.S. Case No. 13/2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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