

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13491 of 2018

Arising Out of PS. Case No.-267 Year-2017 Thana- RUPASPUR District- Patna

Praveen Kumar Pandey, S/o Vijay Kumar Pandey, Resident of Village- Basti,
P.O.+ P.S.- Harnaut, District- Nalanda at present resident of Mohalla- Bihar
Vikash Colony, P.O.- Dhanaut, P.S.- Rupaspur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar

For the Opposite Party/s : Mr. AWADHESH KUMAR SINGH

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-03-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 147, 148, 149, 152, 333, 353, 427 of the I.P.C. and Sections 30(a), 37(a)(c), 38(i)(2) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that three empty plastic glasses are 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 come on the disclosure of co-accused Abhishek Kumar @ Monu. Except for this, there is no other substantive evidence to suggest the implication of the



petitioner in this case. It is alleged that three empty plastic glasses, which are alleged to have been used for having liquor, are recovered from the side of the motorcycle 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 Special Judge, Bihar Excise Act, Patna in connection with Rupaspur P.S. case No.267 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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