

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16031 of 2018

Arising Out of PS.Case No. -134 Year- 2016 Thana -BOCHHA District- MUZAFFARPUR

Narendra Kumar, S/o Ram Mehar Singh, R/o Village- Nikhari .., District- Rewari (Haryana).

..... Petitioner
Versus
The State of Bihar

..... Opposite Party

Appearance :
For the Petitioner : Mr. Alok Kumar Alok, Advocate.
For the Opposite Party : Mr. Sakir Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-03-2018 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 272, 273, 290 of the IPC, 47, 47(A), 48(ii), 51, 53 and 57 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 2798.64 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. The petitioner has falsely been implicated in the present case. It is alleged that total 2798.64 liters wine is recovered from the Truck and Tata Sumo Gold in question. The petitioner is alleged to be owner of the Truck in question from which only 2681.64 liters wine is recovered. It is further submitted that the Truck in question has already been sold to one Aslam prior to alleged occurrence. The same is evident from Annexure-2 to the present application. 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 the learned Special Judge, Excise, Muzaffarpur, in connection with Bochahan P.S. Case No. 134 of



2016, subject to the conditions as laid down under Section 438(2)
of the Code of Criminal Procedure.

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(Sudhir Singh, J)

