

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2588 of 2018

Arising Out of PS. Case No.-183 Year-2017 Thana- SIRDALA District- Nawada

Surendra Kumar son of Jagdish Pandit, resident of village Tungi, P.S. Hisua,
District Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. ANIL KUMAR

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-01-2018 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 3.2 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come in course of investigation. It is alleged that 3.2 liters wine is recovered from the motorcycle. The motorcycle in question does not belong to the petitioner. The counsel for the petitioner



further submits that prior to the alleged occurrence, the motorcycle in question was already sold by the petitioner to one Vivek Paswan and same was not in his possession. 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 Additional District and Sessions Judge IInd-cum-Spl. Judge, Nawada in connection with Sirdalla P.S. case No.183 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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