

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23781 of 2018

Arising Out of PS. Case No.-22 Year-2018 Thana- BARACHATTI District- Gaya

Manohar Ram, Son of late Jagdish Ram, Resident of Village-Bhaga, Bhaga
No.5 New Hanuman Nagar, P.S. Bhaga, District-Dhanbad (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-04-2018 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 360 liters 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
alleged recovery is made from the car of 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 360 liters wine is recovered from the car. 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 (Excise), Gaya in connection with Barachatti P.S. case No.22 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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