

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47417 of 2018

Arising Out of PS. Case No.-201 Year-2017 Thana- BALIA District- Begusarai

Pradeep Chaudhary, S/o Umakant Chaudhary @ Uma Chaudhary, Resident of
Village- Hussainchak, P.S.- Ballia, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 03-08-2018 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 79 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 petitioner is not named in the F.I.R. In course of investigation a suspicion has been raised against 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 79



liters wine is recovered from the car. The car does not belong to the petitioner. 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 not 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 Addl. Sessions Judge IInd, Begusarai-cum-Special Judge, Bihar Prohibition & Excise Act, 2016 in connection with Ballia P.S. case No.201 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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