

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66178 of 2018

Arising Out of PS. Case No.-325 Year-2018 Thana- GANDHIMAIDAN District- Patna

Sushil Kumar son of Anuplal Sah, resident of village Nikaspur, P.S. Tajpur,
Dist. Samastipur, at present of Radha Krishna Hotel, P.S. Gandhi Maidan,
Dist. Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramji Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-10-2018 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 6.975 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 in the present case as he is also one of the tenants of the premises in question. Except for this, there is no other substantive evidence



to suggest the implication of the petitioner in this case. It is alleged that 6.975 liters wine is recovered from the premises 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./complaint case.

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 Court of Excise, Patna in connection with Spl. Case No.6844 of 2018 arising out of Gandhi Maidan P.S. case No.325 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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