

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19582 of 2018

Arising Out of PS.Case No. -1440 Year- 2017 Thana -SA SARAM MUFFSIL District- SASARAM
(ROHTAS)

=====

Pramod Kumar @ Pramod Mahto, Son of Ram Ekbal Mahto, Resident of
Vill- Dahiyar, P.S.- Sasaram (M), Dist- Rohtas.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Ashok Kumar Pandey, Advocate.

For the Opposite Party : Smt. Asha Kumari, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-04-2018 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 30(a), 34 and 38 of the Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 5 liters
wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case. There is no allegation of tampering with the
witnesses alleged against the petitioner. It is alleged that total 5
liters wine is recovered by the side of river. The name of the
petitioner has come in the present case as the police officer



claimed to have identified the petitioner while he was fleeing away. The petitioner is not acquainted with the said police officer nor the said police officer acquainted with the petitioner. Hence the question of identification made by the said police officer in respect to the petitioner appears to be doubtful. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident.

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 Additional Sessions Judge-II-cum-Special Court Excise, Rohtas, in connection with Sasaram (M) P.S. Case No. 1440 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)