

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40939 of 2018

Arising Out of PS. Case No.-385 Year-2016 Thana- SARAIYA District- Muzaffarpur

=====

Ajay Sah @ Ajay Kumar, Son of Ram Ayodhya Sah, Resident of village-
Basantpur Patti, Police Station- Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Ram Sumiran Roy

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 272, 273, 420, 120B of the I.P.C. and Sections 30(a), 38, 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 4338 liters wine is recovered.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has come on the disclosure of co-accused Krishna Kumar Sharma. The petitioner is not named in the F.I.R. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case.



It is alleged that 4338 liters wine is recovered from a container parked by the side of the road. The container in question 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 Special Judge, Excise, Muzaffarpur in connection with Saraiya P.S. case No.385 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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

