

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43006 of 2018

Arising Out of PS. Case No.-392 Year-2017 Thana- PATLIPUTRA District- Patna

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Pawan Kumar Singh S/o Bholan Prasad Singh, R/o Mohalla- 37 Kurji, P.S.-
Digha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishwanath Prasad

For the Opposite Party/s : Smt Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 30(A)/37(A)(B) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 750 ml 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 750 ml wine is recovered from the joint house of 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 named in the F.I.R./complaint.

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 Spl. Judge, Excise, Patna-cum-Additional Sessions Judge Vth, Patna in connection with Spl. Case No.8171 of 2017 arising out of Patliputra P.S. case No.392 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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