

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41239 of 2018

Arising Out of PS. Case No.-1417 Year-2017 Thana- SASARAM MUFFSIL District- Rohtas

Brindanand Singh @ Brindan Singh @ Birdanand Singh S/o Laxman Mahto,
R/o Vill.- Babhani, P.S.- Kargahar, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Mr. Yogendra Kumar

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 30(a), 35 and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 241.920 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 by Chhotu Sah. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 241.920 liters wine is recovered from Boring of one Srikant Mahto. 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.

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 2nd Additional
District and Sessions Judge-Cum-Special Judge, Excise, Rohtas
at Sasaram, in connection with Sasaram (M) P.S. Case No. 1417
of 2017, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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