

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49774 of 2018

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1. Rahul Singh @ Rahul Kumar Singh, Son of Sunil Singh, resident of
Village- Karam Chauk Kotwa, P.S.- Kotwa, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 414, 34 of the Indian Penal Code and Sections-30(1) 41(1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 93.75 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired on the basis of disclosure made by the co-accused Sandeep Shandilay. Except for this, there is no other substantive evidence to suggest the implication of the



petitioner in this case. It is alleged that 93.75 liters wine is recovered from the car in question. The car 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 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, Motihari, East Champaran in connection with Town P.S. Case No. 289 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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