

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.70748 of 2018**

Arising Out of PS. Case No.-250 Year-2018 Thana- KHAIRA District- Saran

Bhola Rai, S/o Chhathu Rai, Resident of Village-Mahuawa Tola, P.S. Chapra  
Mufassil, District-Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                           |
|----------------------|---|---------------------------|
| For the Petitioner/s | : | Mr. Gajendra Kumar Singh  |
| For the State        | : | Mr. Nityanand Tiwary, APP |

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      29-11-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

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

The prosecution case, in short, is that 765 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 Birendra Manjhi. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that



765 liters wine is recovered from the pick up Van, in question. The pick up Van, 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 Additional Sessions Judge-VI-cum-Special Judge, Saran at Chapra in connection with Khaira P.S. Case No. 250 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V.//-

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