

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23313 of 2018

Arising Out of PS. Case No.-5 Year-2017 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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Vikash Kumar @ Vikash Chaurasia Son of Jaghdeo Baghat, Resident of
Village-Majhuila, P.S.-Sakra, District-Muzaffarpur, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar Through The Economic offence Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh
For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-04-2018 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, 467, 468, 471, 414, 120B/34 of the Indian Penal Code and Sections 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 3837 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 namely Nishant Singh @ Sonu. Except for this, there is no other substantive evidence to suggest the implication of the



petitioner in this case. It is alleged that 3837 liters wine is recovered from the truck and Innova Car in question. None of vehicles 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. Other co-accused has been granted anticipatory bail vide order dated 08.02.2018 passed in Cr. Misc. No. 7228 of 2018.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

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, Patna in connection with Special Case No. 1194/2017 (arising out of Economic Offence Case No. 05/2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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