

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54452 of 2018

Arising Out of PS. Case No.-196 Year-2018 Thana- MANJHI District- Saran

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Bhim Singh S/o Bir Bahadur Singh R/o Village- Belkund, P.S. Jalalpur,
District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh
For the Opposite Party/s : Mr. Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in connection with Manjhi P.S. case No.196 of 2018 registered under Sections 188, 420, 120B of the Indian Penal Code and Sections 30, 30(a), 38 of the Bihar Prohibition and Excise Act, 2016, pending in the court of 6th Additional Sessions Judge, Saran at Chapra.

The prosecution case, in short, is that 5274 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 Sukhdeo Singh. Except for this, there is no other substantive evidence to suggest the implication of the petitioner



in this case. It is alleged that 5274 liters wine is recovered from the truck. The truck 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. and there are five other cases pending against the petitioner.

Considering the antecedents of the petitioner, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

If the petitioner surrenders before the court below and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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