

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69740 of 2018

Arising Out of PS. Case No.-54 Year-2018 Thana- BITHAN BAZAR District- Samastipur

Lalan Kumar Mahto @ Priyaranjan Kumar @ Lalan Mahto Son of
Ramchandra Mahto Resident of Village-Halna Bithan,P.S. Bithan,Distt.-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Smt. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-11-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 272, 273, 323, 341, 342, 504 of the Indian Penal Code and 30(a)/30(d) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 40 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 informant is a private party on whose instance, the present case has been instituted. There is previous enmity between the parties. Hence, the petitioner has been implicated in



the present case. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 40 liters wine is recovered by the side of the road. 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./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 6th Additional Sessions Judge-cum- Special Judge, Excise, Samastipur in connection with Bithan P.S. Case No. 54 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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