

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75793 of 2018

Arising Out of PS. Case No.-289 Year-2018 Thana- DURGAWATI District- Bhabhua
(Kaimur)

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Dhananjay Kumar Singh, Son of Ashok Singh, resident of Village- Dhansoi,
P.S.- Dhansoi, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parwej Khan

For the Opposite Party/s : Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-12-2018 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(A), 38, 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 224.640 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. During investigation it has transpired that the petitioner is alleged to be the driver of the vehicle in question. The petitioner denies the



said allegation. There is no other substantive evidence to suggest that the petitioner is the driver of the vehicle in question. It is alleged that 224.640 liters wine is recovered from the vehicle. The vehicle 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 not 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, Kaimur at Bhabua in connection with Durgawati P.S. case No.289 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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