

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22721 of 2018

Arising Out of PS. Case No.-158 Year-2018 Thana- KISHANGANJ District- Kishanganj

Bhola Choudhary Son of BHagat Chaudhary, Resident of Bandar Kali, Bari Raiganj, POlice Station-Rai District-Uttar Dinajpur (W.B.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh
For the Opposite Party/s : Smt Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-05-2018 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), 37(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 8.450 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 name of the petitioner has transpired as the vehicle in question belongs to the petitioner. The said vehicle is run as taxi by the driver of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the



petitioner in this case. It is alleged that 8.450 liters wine is recovered from the joint house of 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 Addl. District & Sessions Judge IInd-cum-Special Judge (Excise), Kishanganj in connection with Kishanganj P.S. case No.158 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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