

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7955 of 2018

Arising Out of PS. Case No.-298 Year-2017 Thana- AKBARPUR District- Nawada

=====

Bhim Singh S/o Late Basudeo Singh, R/o Village- Fatehpur, P.S.- Akbarpur,
District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. ABHAY KUMAR - 1

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 36.750 liters wine is recovered.

There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired as the alleged recovery is made from the two different places including the hotel 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 total 36.750 liters wine is recovered. So far the petitioner is concerned, 750 ml



English wine and one liter country made wine are recovered from the hotel 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 Additional Sessions Judge-II-cum-Special Judge, Nawada in connection with Akbarpur P.S. Case No. 298 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

