

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17695 of 2018

Arising Out of PS.Case No. -223 Year- 2017 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

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1. Sumit Singh @ Sumit Kumar Singh, Son of Sanjay Singh, Resident of
Village- Salempur Pokhara, P.S.- Bikramganj, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-03-2018 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 of the Indian Penal Code and Section-30(a)
of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1180 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 name of the
petitioner has transpired in the present case as the informant claims to
have identified the petitioner in the light of the vehicle in question. The
petitioner is not known to the informant nor he is acquainted with the
informant nor the informant is known to the petitioner. The source of



identification itself is doubtful. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 1180 liters wine is recovered from the vehicle in question. 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 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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Bikramganj P.S. Case No. 223 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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