

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19710 of 2018

Arising Out of PS.Case No. -27 Year- 2017 Thana -HALSI District- LAKHISARAI

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1. Pankaj Kumar Yadav S/o Ram Ganga Yadav, R/o Village- Panchveer ,
P.S.- Sahebpur Kamal, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-04-2018 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), 30(d), 38(a)/2(40) of the Bihar Prohibition and Excise Act, 2016 and Sections-272, 273 & 290 of the Indian Penal Code.

The prosecution case, in short, is that 15 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 on the basis of disclosure made by the co-accused namely Mulla Kumar. Except for this, there is no



other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 15 liters wine is recovered from the Maruti Car. The Maruti Car 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, Lakhisarai in connection with Halsi P.S. Case No. 27 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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