

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.68533 of 2018**

Arising Out of PS. Case No.-132 Year-2018 Thana- SAMSTIPUR RAIL P.S District-  
Samastipur

=====

Rohit Kumar, Son of Ajay Prasad, Resident of Maharani Asthan Road Dani  
Tila, Barahiya, P.S.-Barahiya, District-Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr. Abhay Shankar Singh, Advocate.  
For the Opposite Party : Smt. Anusuiya Jaiswal, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2     20-11-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

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

The prosecution story, in brief, is that total 54 liters  
wine is said to have been recovered.

It has been submitted by learned counsel for the  
petitioner that the petitioner has got no criminal antecedent.  
There is no allegation of tampering with the witnesses alleged  
against the petitioner. It is alleged that total 54 liters wine is  
recovered from Seat No. 9 of the Train. The name of the  
petitioner has come in the present case as the *Aadhar Card* of



the petitioner was found from one of the bags in question. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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./Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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-3-cum-Special Judge, Excise, Samastipur, in connection with Samastipur Rail P. S. Case No. 132 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

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