

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3914 of 2019

Arising Out of PS. Case No.-165 Year-2018 Thana- KARAKAT District- Rohtas

Hans Kumar Pandey @ Hans Lal Pandey, aged about 26 years, Male, Son of
Shri Niwas Pandey @ Niwas Pandey, R/O Village- Lori Bandh, P.S. Karakat,
District- Rohtas.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Om Prakash, Advocate.

For the Opposite Party : Mr.Tarun Prasad Mandal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-01-2019 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 Sections 30(a) and 36) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 1080 liters
wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case. There is no allegation of tampering with the
witnesses alleged against the petitioner. It is alleged that total
1080 liters wine is recovered from the room of Community Hall
in question. The name of the petitioner has come in the present



case on the basis of disclosure made by local *Chaukidar*. 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 the learned 2nd Additional District & Sessions Judge-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Karakat P.S. Case No. 165 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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