

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3911 of 2019

Arising Out of PS. Case No.-128 Year-2018 Thana- MAHESHKHUNT District- Khagaria

Sintu Kumar, aged about 21 years, Male, Son of Ramchandra Ram, Resident of Village- Ramganj, P.S.- Mufassil, District- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anil Kumar Choudhary, Advocate.

For the Opposite Party : Mr. Mritunjay Kumar Nirala, 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 41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 199.54 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. The petitioner has falsely been implicated in the present case. It is alleged that total 199.54 liters wine is



recovered from the car in question. The car in question does not belong to the petitioner. The name of the petitioner has come on the basis of secret information as per F.I.R. The source and genuineness of secret information has not been disclosed by the prosecution. 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 Additional Sessions Judge-2nd-cum-Special Judge, Excise Act, Khagaria, in connection with Special A.B.A. No. 76/2018, arising out of Maheshkhunt P.S. Case No. 128/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure.

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(Sudhir Singh, J)

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