

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5226 of 2019

Arising Out of PS. Case No.-482 Year-2018 Thana- NAUBATPUR District- Patna

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Harendra Singh @ Harendra Kumar @ Harendra Kumar Singh S/o Ram
Bihari Singh Resident of Village- Sonachak, Pipalawan, Police Station-
Naubatpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Rajpati

For the Opposite Party/s : Mr.Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

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

The prosecution case, in short, is that 750 ml. wine is
recovered.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against
the petitioner. The name of the petitioner has transpired in this
case as the car in question belongs to the petitioner. The said car
is run as taxi by driver of the petitioner. Except for this, there is
no other substantive evidence to suggest the implication of the



petitioner in this case. It is alleged that 750 ml. wine is recovered from the car in question. 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 Special Judge, Excise, Patna in connection with Naubatpur P.S. Case No. 482 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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