

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9899 of 2019

Arising Out of PS. Case No.-322 Year-2018 Thana- UCHKAGAON District- Gopalganj

Vikash Singh @ Vikas Kumar S/o Rama Kant Singh Village - Harkholi, P.S.-
Mirganj, Distt.- Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Smt. Meena Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-02-2019 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), 35 & 38 of the Excise Act, 2016.

The prosecution case, in short, is that 155.520 liters 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 on the basis of secret information. The source and genuineness of the 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.



It is alleged that 155.520 liters wine is recovered from the car, in question. The 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 Additional Sessions Judge-II-cum-Special Judge, Excise, Gopalganj in connection with Uchkagaon P.S. Case No. 322 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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