

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10826 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- PANCHRUKHI District- Siwan

Surendra Sah @ Surendra Gupta @ Surendar Gupta Son of Rajakokil Prasad
@ Raj Kokil Sah Resident of Village - Pachruhi, Gahirwa Badi, P.S-
Pachrukhi, Dist.-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mrs. Asha Devi

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 272 & 273 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 18 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired on the basis of disclosure made by the co-accused Rajesh Choudhary, Pintoo Choudhary, Abhishek and Saddam. Except for this, there



is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 18 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, Siwan in connection with Pachrukhi P.S. Case No. 01 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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