

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9165 of 2019

Arising Out of PS. Case No.-462 Year-2017 Thana- SHASTRINAGAR District- Patna

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Bittu Kumar, Male, aged about 21 Years, S/o Krishna Singh @ Uday Lal,
Resident of village-Shekhar Hospital, near Bailey Road Raza Bazar,
Brahmsthani Gali, behind Salam Hospital, P.S-Shastrinagar, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Satrudhan Kumar, Advocate.

For the Opposite Party : Mr.Suman Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-02-2019 Learned counsel for the petitioner is permitted to

make necessary corrections in paragraph no. 3 of the bail

application, in course of the day.

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 Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 750 ML
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 750 ML wine is recovered from the co-accused Sudhakar Kumar. The name of the petitioner has come on the basis of disclosure made by co-accused Sudhakar Kumar. 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 Special Judge, Excise, Patna, in connection with Shashtri Nagar P.S. Case No. 462 of 2017, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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