

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10238 of 2019

Arising Out of PS. Case No.-1157 Year-2018 Thana- SONEPUR District- Saran

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Balajee Singh, aged about 26, Male, Son of Baskinath Singh, R/o village-
Kanhauli (Mansipur), P.S- Mahua, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Manoj Kumar, Advocate.
For the Opposite Party : Mr.Md. Fahimuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-02-2019 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 38 of the Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 4430.160
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 4430.160 liters wine is
recovered from the Truck in question. The Truck in question
does not belong to the petitioner. The name of the petitioner has



come on the basis of disclosure made by co-accused Binay Kumar Rai @ Bhula Rai. 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 A.D.J. 6th, Saran, in connection with Sonepur P.S. Case No. 1157 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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