

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9896 of 2019

Arising Out of PS. Case No.-846 Year-2018 Thana- MOTIHARI TOWN District- East
Champaran

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Chandan Kumar, son of Yogendra Ram, resident of village- Sareya Khurd,
P.S.- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Dilip Kumar No. 1

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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 414 of the Indian Penal Code and
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 351 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 as the
vehicle in question belongs to the petitioner. The same was run
as public carrier by the 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 351 liters wine is recovered from the vehicle 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./complaint case.

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 7th Additional Sessions Judge -cum- Special Judge, Excise, Motihari, East Champaran in connection with Motihari Town P.S. Case No. 846 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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