

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12806 of 2019

Arising Out of PS. Case No.-1153 Year-2018 Thana- KANKARBAG District- Patna

Ravi Raj @ Ravi Kumar, aged about 26 Years, Sex-Male, Son of Raju Prasad
@ Raju Kumar, Resident of Ashok Nagar, Road No. 3, Nav Ratanpur, P.S.-
Kankarbagh, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Bipin Kumar, Advocate.
For the Opposite Party : Mr.Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-03-2019 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 272, 273 of the IPC and
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 67.68 liters
wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case. There is no allegation of tampering with the
witnesses alleged against the petitioner. It is alleged that total
67.68 liters wine is recovered from the open field as per the
F.I.R. The open field in question does not belong to the
petitioner. The name of the petitioner has come on the basis of



disclosure made by the local residents as per the F.I.R. The name of the local residents, who have named the petitioner, 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. 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 Court, Excise Act, Patna, in connection with Kankarbagh P.S. Case No. 1153 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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