

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16563 of 2019

Arising Out of PS. Case No.-139 Year-2018 Thana- GOVINDPUR District- Nawada

Anand Kumar Gupta S/o Ishwer Chandra Gupta, Brahmpur Bazar, Behind
Mahavir Mandir, Patna, P.S-Phulwarisharif, Distt.-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha
For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 64 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 in this case as the petitioner is said to be owner of the vehicle in question. The said vehicle is run as a taxi by 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 64 liters wine is recovered from the car 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.

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, Nawada in connection with Govindpur P.S. Case No. 139 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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