

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21473 of 2019

Arising Out of PS. Case No.-265 Year-2018 Thana- BHAGWANPUR District- Begusarai

Manish Kumar Son of AShok Sah, Resident of Village- Ward NO. 8, Rampur,
P.O.- Amba, Rampur Gopi, P.S.- Teghra, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-04-2019 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 Excise Act, 2016.

The prosecution case, in short, is that 45.200 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
on the basis of secret information. The source and genuineness
of the secret information 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.



It is alleged that 45.200 liters wine is recovered from the car in question. The car in question does not belong to the petitioner. 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 learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Bhagwanpur P.S. Case No. 265 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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