

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21459 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- HUSSAINGANJ District- Siwan

Vickky Chaudhary @ Vickky Pasi @ Vicky Kumar Chaudhary Son of Mohan Chaudhary @ Mohan Lal Pasi Resident of Village - Gopalpur, P.S.- Hussainganj, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

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 Sections-30(a), 36, 41(i) of the Bihar Prohibition and Excise Act.

The prosecution case, in short, is that 100.880 liters wine is recovered.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired as the alleged recovery is said to have been made from joint house of the petitioner where other family members also reside. Except for this, there is no other substantive evidence to suggest the



implication of the petitioner in this case. It is alleged that 100.880 liters wine is recovered from joint house of 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 Additional Sessions Judge-II-cum-Special Judge, Excise, Siwan in connection with Hussainganj P.S. Case No. 30 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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