

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67636 of 2018

Arising Out of PS. Case No.-78 Year-2017 Thana- RISIYAP District- Aurangabad

=====

Bhola Paswan, Son of Yugeshwar Paswan, Resident of Village- Simri, P.S.
Kutumba, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr.Leelawati Kumari, Advocate.
For the Opposite Party : Smt Pushpa Sinha, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 17-01-2019 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 Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 115 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
115 liters wine is recovered from three vehicles i.e., one



Motorcycle and two cars in question. Out of which, 60 liters wine is said to have been recovered from the car of the petitioner. The petitioner is alleged to be owner of said car bearing Registration No. RJ-07C-2379. It is further submitted by learned counsel for the petitioner that the said car has already been sold to one Ravi Ranjan Kumar on 03.11.2017 vide Annexure-2 to the present application. 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 Additional Sessions Judge-VII-cum-Special Judge, Excise Act, Aurangabad, in connection with Risiup P.S. Case No. 78/17,



subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

U		T	
---	--	---	--

