

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9440 of 2019

Arising Out of PS. Case No.-379 Year-2018 Thana- MAKHDUMPUR District- Jehanabad

Amit Kumar, S/o Mukesh Kumar, R/o Village- Tehta, P.S-Makhdumpur
(Tehta O.P.), District- Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sunil Srivastava, Advocate.

For the Opposite Party : Mr.Syed Mojibur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-02-2019 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 1325.2
liters wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioner. The petitioner has falsely been implicated
in the present case. It is alleged that total 1325.2 liters wine is
recovered from one Scorpio and two Motorcycles in question.
None of the vehicles belong to the petitioner. 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-IIInd-cum-Special Judge, (Excise), Jehanabad, in connection with Makhdumpur P.S. Case No. 379/2018 (Excise Case No. 1013/2018), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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