

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79528 of 2018

Arising Out of PS. Case No.-290 Year-2018 Thana- BIHIA District- Bhojpur

=====

Ajay Kumar Singh @ Ajay Singh @ Kaka, S/o Late Sukhram Singh, R/vill-
Makhdumpur, P.S-Bihiya, Distt.-Bhojpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr.Arun Kumar Singh, Advocate.
For the Opposite Party : Mr. Amrendra Prasad, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-02-2019 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 96.48 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
96.48 liters wine is recovered from joint house of the petitioner.
The name of the petitioner has come in the present case on the
basis of alleged recovery 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. 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 4th Additional Sessions Judge-cum-Special Judge, Excise, Bhojpur, Ara, in connection with Excise Case No. 1197/2018, arising out of Bihiya P.S. Case No. 290 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

U.K./-

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

