

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60959 of 2019

Arising Out of PS. Case No.-674 Year-2019 Thana- SHASTRINAGAR District- Patna

SANTU BIND, aged about 42 years, Male, S/o Late Sita Ram Bind, Resident of Sheikhpura Bind Toli, Jhoparpatti, P.S.- Shastri Nagar, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Shambhu Sharan Singh, Advocate.
For the Opposite Party : Mr.Ajay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-11-2019 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 49.47 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 49.47 liters wine is recovered from the different places. Out of which, 2.25 liters wine is said to have been recovered from Scrap Shop of the petitioner. The name of the petitioner has



come on the basis of disclosure made by co-accused Prayag Kumar as per F.I.R. 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 Special Judge, Excise Act, Patna, in connection with Special Case No. 7077 of 2019, arising out of Shastrinagar P.S. Case No. 674 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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