

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79837 of 2019

Arising Out of PS. Case No.-81 Year-2018 Thana- HISUWA District- Nawada

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GURMEET SINGH Son of Jagir Singh Owner of Indica Car Reg. No. JH 09AD/6194, R/o Village- Mohalla- 1396 Vedant Nagar Saha, P.S. and District- Ambala, Haryana- 133001.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 38 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired as he is owner of the vehicle in question. The petitioner had no knowledge regarding the goods booked by the transporter.



Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 38 liters wine is recovered from the vehicle in question. 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/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 District & Sessions Judge-II-cum- Special Judge, Nawada in connection with Hisua P.S. Case No. 81/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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