

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48704 of 2017**

Arising Out of PS.Case No. -312 Year- 2017 Thana -SHEKHPURA District- SEKHPURA

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1. Sonu Kumar S/o Sanjay Sao, R/o Village & P.O.- Pachna Via Sisari, P.S.  
& District- Sheikhpura (Bihar).

.... .... Petitioner

Versus

1. The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Harsh Singh

For the Opposite Party/s : Mr. Aditya Narayan Singh 1

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      11-12-2017                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is apprehending his arrest in a case  
instituted under Sections 272, 273, 353 of the Indian Penal Code  
and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 495 litres of  
liquor is said to have been 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 come on the basis of confession of co-  
accused as per F.I.R. Except for this, there is no other substantive  
evidence to suggest the implication of the petitioner in this case. It



is alleged that total 495 litres of liquor is recovered from the shop and vehicles in question, which do not belong to the petitioner. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged occurrence. There is no compliance of section 100 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Excise Case No. 632/2017, arising out of Sheikhpura P.S. Case No. 312/2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Sheikhpura, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Amit/-

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