

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59904 of 2017

Arising Out of PS.Case No. -548 Year- 2017 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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1. Anuj Rai @ Anuj Ram @ Anuj Kumar Ram, Son of Sri Vishwanath Rai,
Resident of Village- Akila Bad, P.S.- Sadar, District- Vaishali.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Rajeev Nayan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 188, 420, 120(b) of the Indian Penal
Code and 30/38/47 of the Bihar Excise Prohibition and
Amendment Act, 2016.

The prosecution story, in brief, is that 1556 litres of
liquor is said to have been recovered from an abandoned hut of
one Late Lalbabu Rai.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against
the petitioner. The name of the petitioner has come on the basis of
suspicion. Except for this, there is no other substantive evidence



to suggest the implication of the petitioner in this case. It is alleged that 1556 litres of liquor is recovered from an abandoned hut of one Late Lalbabu Rai. 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 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 Town P.S. Case No.548/2017, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II, Vaishali at Hajipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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