

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58854 of 2017

Arising Out of PS.Case No. -138 Year- 2017 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

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Indrajeet Kumar, son of Mangal Singh, resident of Village- Pachkati Yadu,
P.S.- Bairganiya, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhurendra Kumar, Advocate.

For the Opposite Party : Mr. Anil Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 14-12-2017 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 Sections 272, 273 of the IPC and
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 18 liters wine
is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the
petitioner. The name of the petitioner has come on the basis of
documents which was kept in the motorcycle as per the F.I.R. It is
alleged that 18 liters wine is recovered from the Motorcycle of the
petitioner. The said motorcycle was parked by the side of Road.



The petitioner had no knowledge who had kept the liquor in question in the Dickey of the Motorcycle. 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. 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.

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 7th Additional Sessions Judge-cum-Special Judge (Excise), East Champaran, Motihari, in connection with Kundwa Chainpur P.S. Case No. 138 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

