

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61236 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -JURAWNPUR District- VAISHALI(HAJIPUR)

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1. Ajayant, Son of Ram Swaroop, R/o Rishi Nagar, Bus Stand, P.S.- Hisar,
District- Hisar (Haryana).

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shyamal Prakash

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 30(a)/38/41 of Bihar Prohibition and
Excise Act, 2016.

The prosecution story, in brief, is that 520 litres of wine
is recovered from Bindeshwar 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
confessional statement of co-accused made before police 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 520 litres of wine is recovered from Bindeshwar 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 Cr.P.C. The other co-accused has been granted bail vide Cr. Misc. No.45996/2017 dated 17.10.2017.

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 Jurawanpur P.S. Case No. 04/2017, 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-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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