

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60718 of 2017

Arising Out of PS. Case No.-407 Year-2017 Thana- GOPALGANJ TOWN District-
Gopalganj

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Vijay Chaurasiya, son of Suresh Chaurasiya @ Suresh Prasad Chaurasiya,
resident of Village- Sreya, Ward no. 1, P.S.- Gopalganj Town, District-
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey

For the Opposite Party/s : Mr. HUMAYOU AHMAD KHAN

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 147, 148, 149, 353, 307, 308, 420 of the I.P.C. as well as Section 27 of the Arms Act and Sections 30(a), 41(1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 2737 liters wine is recovered from the truck.

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 2737 liters wine is recovered while the truck in question was being unloaded by the side of mortuary. The truck in question does 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 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.

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 Sub Divisional Judicial Magistrate, Gopalganj in connection with Gopalganj Town P.S. case No.407 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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