

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58332 of 2017

Arising Out of PS.Case No. -438 Year- 2017 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

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1. Babloo Kumar Son of Vijay Yadav @ Mangal Singh Resident of Village
- Gafur Bigha, Police Station - Asthawan, District - Nalanda at Biharsharif
(Bihar).

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar

For the Opposite Party/s : Mr. Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-12-2017 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) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution story, in brief, is that 180 litres of
liquor is said to have been recovered.

It has been submitted on behalf of the petitioner that the
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 180 litres of liquor is recovered from the house of one Vidyawati Sinha. The petitioner denies to be the tenant in the said house. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the same. 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 Laheri P.S. Case No. 438/2017, G.R. No. 782 of 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-VI-cum Special Judge (Excise), Bihar Sharif at Nalanda, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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