

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57969 of 2017

Arising Out of PS.Case No. -145 Year- 2014 Thana -KUDHNI District- MUZAFFARPUR

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1. Dinesh Singh @ Dinesh Prasad Singh Son of Late Saryug Singh Resident
of Village - Jagdish Kamtaul, P.S. - Kurhani, District - Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. S. Ehteshamuddin

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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 Section 290 of the Indian Penal Code and 47(A)
of Excise Act.

The prosecution story, in brief, is that 21.86 litres of
liquor is said to have been recovered.

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
secret information as per the F.I.R. The source and genuineness of
the secret information has not been disclosed by the prosecution.



Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 21.86 litres of liquor is recovered from an open field. 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 Kurhani P.S. Case No.145/2014, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M.1st Class, Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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