

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62118 of 2017

Arising Out of PS.Case No. -95 Year- 2003 Thana -GOVERNMENT OFFICIAL COMP. District-
JAMUI

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Wakil Singh @ Wakil Singh S/o Bipat Singh, R/o Village- Naudia, P.S.-
Khaira, District- Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satya Prakash Parasar, Advocate.

For the Opposite Party : Mr. Mithilesh Kumar Khare, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 19-12-2017 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 Section 47(a)(f) of the Bihar Excise
Act..

The prosecution story, in brief, is that 30 liters
Mahua wine and 360 Kg. Jawa Mahua are 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 petitioner has falsely been implicated in the present
case. It is alleged that 30 liters Mahua wine and 360 Kg. Jawa
Mahua are recovered. The name of the petitioner has come on the



basis of secret information as per the complaint. 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. 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 complaint.

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 C.J.M. Jamui, in connection with Complaint Case No. 95C2/2003, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)