

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52166 of 2017

Arising Out of PS.Case No. -99 Year- 2017 Thana -MAGADH UNIVERSITY District- GAYA

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1. Chote Lal Son of Late Govardhan Saw Resident of Village - Godhai,
P.O. - Hafua, P.S. - Chatra, District - Chatra (Jharkhand).

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-12-2017 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) and 32(2) of Bihar Prohibition and
Excise (Amendment) Act, 2016.

The prosecution story, in brief, is that 420 litres of
liquor is said to have been recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The name
of the petitioner has come on the basis of seized Bolero. The
petitioner is said to be the owner of the seized Bolero which is run
by driver. Except for this, there is no other substantive evidence



to suggest the implication of the petitioner in this case. It is alleged that 420 litres of liquor is recovered from vehicle in question. 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 not 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 Magadh University P.S. Case No. 99/2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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