IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58707 of 2017

Arising Out of PS.Case No. -258 Year- 2017 Thana -BARBIGHA District- SEKHPURA

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1. Arun Ji @ Arun Ram, S/o Mahavir Ram, R/o Mohalla- Gola Par, P.S.- Barbigha, District- Sheikhpra.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Ajit Kumar
For the Opposite Party/s : Mr. Sanjay Kumar Sharma

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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 272, 273, 414, 420, 409, 467, 468, 471, 188 of the Indian Penal Code and 30 of Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 1.5 litres of liquor is said to have been recovered from co-accused.

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

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suggest the implication of the petitioner in this case. It is alleged that 1.5 litres of liquor is recovered from co-accused Deena Mahto. 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 Barbigha P.S. Case No.258/2017, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Sheikhpura, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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