

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56107 of 2017

Arising Out of PS. Case No.-168 Year-2017 Thana- TURKAULIYA District- East
Champaran

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Arun Rai @ Arun Kumar Yadav, Son of Late Shankar Rai, Resident of
Village- Kapasandi, P.S.- Turkaulia, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : SMT. RENUKA RATNAKAR

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-12-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 272, 273/34 of the I.P.C. and Sections 33, 36, 38(1), 41(1) of the Bihar Prohibition and Excise Act, 2016.

Allegation is that 1270 liters wine is recovered near the bank of Sikrahna river in abandoned stage.

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 secret information as per 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. It is alleged that 1270 liters wine is recovered near the bank of Sikrahna river in abandoned stage. 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 F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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 learned Special Judge, Excise, Motihari, East Champaran in connection with Turkauliya P.S. case No.168 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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