

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56232 of 2017

Arising Out of PS. Case No.-65 Year-2017 Thana- SAHODARA District- West Champaran

Rabi Sah, Son of late Bharat Sah, Resident of Village-Bhikhana Thori, P.S.-
Sahodra, District-West Champaran at Bettiah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar Mishra

For the Opposite Party/s : Mr. ASHARAF ANSARI

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 Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is that 35 liters wine is 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 confessional statement of co-accused Kishore Kumar made before police as per F.I.R. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 35 liters wine is recovered from co-accused Kishore



Kumar. 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, West Champaran at Bettiah in connection with Sahodra P.S. case No.65 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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