

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58245 of 2017

Arising Out of PS.Case No. -58 Year- 2017 Thana -DEHRI TOWN District- SASARAM
(ROHTAS)

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1. Sammi Nut @ Shammi Nut, Son of Nate Nut, Resident of Village-
Manaura, P.S.- Dehri, District- Rohtas.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. Md. Ansarul Haque

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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 30(i), 38(i), 41(i)(ii) of Bihar Excise
Act.

The prosecution story, in brief, is that 34 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 disclosure made by co-
accused before police, as per the 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 34 litres of liquor is recovered from the house 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 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 eight weeks from today in connection with Dehri (Town) P.S. Case No.58/2017, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Court, Excise, Rohtas at Sasaram, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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