

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57321 of 2017

Arising Out of PS. Case No.-16 Year-2011 Thana- GOVERNMENT OFFICIAL COMP.
District- Rohtas

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Mahavir Sah, son of Gauri Shankar Sah, resident of Village- Kargahar, P.S.-
Kargahar, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey

For the Opposite Party/s : Mr. Surendra Prasad Singh

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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 Section 47 of the Bihar Prohibition and Excise
Act, 2016.

Allegation is that 110 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 secret
information as per complaint. 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 110 liters wine is recovered from the joint family house of the petitioner. 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 complaint.

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 Additional Sessions Judge II-cum-Special Court Excise, Rohtas, Sasaram in connection with Excise Case No.16 of 2011, 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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