

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.61610 of 2017

Arising Out of PS.Case No. -3132 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
PATNA

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Mahesh Yadav S/o Sri Ramdeo Rai, R/o Mohalla- Mubarakpur, P.S.-
Danapur, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kumar Shankurum and Mr. Rakesh
Mohan Singh, Advocates.

For the Opposite Party : Mr. Ajay Kumar-1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution story, in brief, is that 210 liters
toddy is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the
petitioner. It is alleged that 210 liters toddy is recovered from the
vehicle in question. The petitioner has been made accused in the
present case as he happens to be the owner of the said vehicle in
question which is run as a public career by the driver, namely,



Ram Kumar Saw. 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 or 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 the learned Additional District & Sessions Judge-VIII-cum-Special Judge, Excise, Patna in connection with Special Case No. 3132 of 2017, arising out of Bahadurpur P.R. Case No. 48 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

