

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60782 of 2017

Arising Out of PS. Case No.-209 Year-2017 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

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Ganesh Kumar S/o Chuha Prasad @ Rameshvar Prasad, R/o Khusrupur, Ward
no. 4, P.S.- Khusrupur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anurag Anand
For the Opposite Party/s : Mr. RAM NARESH RAY

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 224, 272, 273 of the I.P.C. and Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 720 ml 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. It is
alleged that 720 ml wine is recovered from the petitioner nearby
a Railway Station. The petitioner has been made accused due to
mistake of fact. Out of vengeance prevailing in the village, the



petitioner has been falsely implicated in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioner as per the seizure list. 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 Additional Sessions Judge VIII-cum-Special Judge, Excise, Patna in connection with Spl. Case No.7503 of 2017 arising out of Rail Thana Bakhtiyarpur P.S. case No.209 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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