

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1566 of 2018

Arising Out of PS.Case No. -288 Year- 2017 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Anil Choudhary @ Anil Kumar Choudhary son of Late Chhedi Chaudhary resident of village - Magruwa, P.S. Madhuban, District - East Champaran.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-01-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in a case instituted under Section 188 of Indian Penal Code and Sections 30A, 37, 37B, 38 of Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 2.625 liters of liquor is said to have been recovered from a Toddy shop.

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 disclosure made by co-accused, 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 2.625 liters of liquor is recovered from a Toddy shop. 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 six weeks from today in connection with Madhuban P.S. Case No.288/2017, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Motihari, East Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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