

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43503 of 2018**

Arising Out of PS. Case No.-210 Year-2018 Thana- MADHEPURA District- Madhepura

Domirajak, Son of Late Prithvi Chand Rajak, Resident of Village-  
Bishanpur, Ward No. 9, Police Station- Madhepura (Ghailardh), District-  
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Uday Chand Prasad  
For the Opposite Party/s : Mr. Amit Kumar Rakesh

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      20-07-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

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

The prosecution case, in short, is that 23.200 liters wine is  
recovered.

It has been submitted on behalf of the petitioner that the  
petitioner has got no criminal antecedent and there is no  
allegation of tampering of witnesses alleged against the  
petitioner. The name of the petitioner has transpired as the  
alleged recovery is made from the joint house of the petitioner  
where the other family members also reside. Except for this,



there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 23.200 liters wine is recovered from the joint 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 F.I.R./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 District and Sessions Judge II-cum-Special Judge, Excise Act, Madhepura in connection with Madhepura (Gailardh) P.S. case No.210 of 2018, 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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