

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44694 of 2018

Arising Out of PS.Case No. -202 Year- 2018 Thana -ARA NAGAR District- BHOJPUR

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Viki Yadav, S/o Suresh Yadav, Resident of Muhalla- Shital Tola, P.S. Ara Town, Dist.- Bhojpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajani Ranjan Pd. Singh, Advocate.

For the Opposite Party : Mr. Anand Kishore Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-07-2018 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 total 10.800 liters wine 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. The petitioner has falsely been implicated in the present case. It is alleged that total 10.800 liters wine is recovered from the cattle shed belonging to joint family of the petitioner. The



name of the petitioner has come on the basis of alleged recovery made from the cattle shed belonging to joint family of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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 Case.

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 A.D.J. (Special Judge), Excise, Ara, Bhojpur, in connection with Excise Case No. 643 of 2018, arising out of Ara Town P.S. Case No. 202 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

