

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48138 of 2018

Arising Out of PS. Case No.-5 Year-2011 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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Arjun Choudhary Son of Late Lakhan Chaudhary Resident of Village
Akbarpur Hat Par, P.S. Akbarpur, District Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Section 47(A) of the Excise Act.

The prosecution case, in short, is that 50 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against
the petitioner. The name of the petitioner has transpired as the
abandoned hut in question belongs to the petitioner. Except for
this, there is no other substantive evidence to suggest the
implication of the petitioner in this case. It is alleged that 50
liters wine is recovered from the abandoned hut in question.



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/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 & Sessions Judge -II-cum- Special Judge, Nawada in connection with G.O. Case No. 5/2011, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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