

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68574 of 2018

Arising Out of PS. Case No.-242 Year-2018 Thana- WARISNAGAR District- Samastipur

Ravindra Kumar @ Ravindra Kumar Mahto @ Ravindra Mahto @ Bhikhari,
Son of Late Bilat Mahto, Resident of Village-Sari Tole, Chakmurage, P.S.
Warisnagar, Distt.-Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anshu Dhar Sharma, Advocate.
For the Opposite Party : Mr. Amrendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-11-2018 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 Sections 272, 273 of the IPC, 47
and 30(a) of Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 340.2 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. It is alleged that total 340.2 liters wine is
recovered from abandoned hut belongs to joint family of the
petitioner. The name of the petitioner has come in the present



case on the basis of recovery made from abandoned hut belongs 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 learned A.D.J. III-cum-Special Judge, Excise, Samastipur, in connection with Waris Nagar P.S. Case No. 242 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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