

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.13108 of 2018**

Arising Out of PS. Case No.-168 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.  
District- Gaya

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Sanju Chaudhary, Son of Late Gobind Chaudhary, resident of Village-  
Sripur, P.S.- Belaganj, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Prithivi Raj Singh  
For the Opposite Party/s : Mr. NARSINGH TANTI

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

2      13-03-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case  
registered under Sections 30(A) and 37(B) of the Bihar  
Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 5 wine is  
recovered.

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 transpired on the basis  
of disclosure made by the local residents. The name of local  
residents who have named the petitioner, has not been disclosed



by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 5 liters wine is recovered. 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 Special Judge, Excise, Gaya in connection with Excise Case No. 168 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

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