

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1300 of 2018

Arising Out of PS. Case No.-104 Year-2017 Thana- BHELDI District- Saran

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Pramod Mahto, son of Jaylal Mahto, resident of Village- Kishunpur, P.S.-
Bhaldi, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. SANJAY KUMAR SHARMA

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-01-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 272, 273, 188/34 of the I.P.C. and Sections 30/30(A) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 404.200 liters wine and spirit 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 come on the basis of disclosure made by the co-accused as per F.I.R. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 404.200 liters



wine and spirit is recovered from the banana orchard in abandoned stage. 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.

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 6th Additional Sessions Judge, Saran at Chapra in connection with Bheldi P.S. case No.104 of 2017, 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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