

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13111 of 2018

Arising Out of PS.Case No. -148 Year- 2017 Thana -GAUTAMBUDHNAGAR District- SIWAN

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Jawahir Chaudhari, Son of Satya Narayn Chaudhary, Resident of Village-
Din Dayalpur, Police Station- G.B. Nagar, District- Siwan.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bijay Prakash Singh, Advocate.

For the Opposite Party : Mr. S. Ehteshamuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-03-2018 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, 308 of the IPC, 34,
36 and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 4 liters
wine and 2 Kg. Mahua are said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case. There is no allegation of tampering with the
witnesses alleged against the petitioner. It is alleged that total 4
liters wine and 2 Kg. Mahua are recovered from the joint house of
the petitioner. The name of the petitioner has come on the basis of



alleged recovery made from joint house of the petitioner where other family members also reside. 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 2nd Additional District Judge-cum-Special Judge, Siwan, in connection with G.B. Nagar P.S. Case No. 148 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)