

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13369 of 2018

Arising Out of PS. Case No.-481 Year-2017 Thana- SIWAN CITY District- Siwan

Bhim Yadav, Son of Shankar Yadav, R/o Village- Durga Mandir, Laxmipur
Andar Dhala, P.S.- Siwan Town, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary
For the Opposite Party/s : SMT. ASHA DEVI

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 and 36 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1.8 liters 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 1.8 liters wine is recovered from the back side of house of Bharat Yadav. 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 Additional District & Sessions Judge-2nd-cum- Special Judge, Excise, Siwan in connection with Siwan Town P.S. Case No. 481 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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