

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22786 of 2018

Arising Out of PS. Case No.-151 Year-2017 Thana- KATRA District- Muzaffarpur

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Bittu Thakur, Son of Navin Thakur @ Navin Kumar Thakur, Resident of
Village- Dhanaur Western Tola, P.S.- Katra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Ram Priya Saran Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-04-2018 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 of the Indian Penal Code and Sections 30(a), 36 and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1.5 liters wine 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 transpired as the petitioner has been identified by the informant in the light of the vehicle. Neither the petitioner is not acquainted with the informant nor the informant is acquainted with the petitioner. Hence the identification of the petitioner itself is doubtful. Except for this, there is no other



substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 1.5 liters wine is recovered from the two different motorcycles. None of the motorcycles in question belong to the petitioner. 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 3rd Additional Sessions Judge-cum- Special Judge, Excise, Muzaffarpur in connection with Katra P.S. Case No. 151/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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