

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2493 of 2018

Arising Out of PS.Case No. -220 Year- 2017 Thana -DESARI District- VAISHALI(HAJIPUR)

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Raju Sah, S/O Ram Lakhan Sah, R/V- Salha, P.S. Jandaha, District-
Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rina Sinha, Advocate.

For the Opposite Party : Mr. Arun Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 12-01-2018 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 30(a), 38 and 41 of the Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 939.60
liters wine is 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
939.60 liters wine is recovered from different vehicles. The name
of petitioner has transpired in the present case on the basis of



secret information as per F.I.R. The source and genuineness of secret information has not been disclosed by prosecution. 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 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 Additional Sessions Judge-II, Vaishali at Hajipur, in connection with Desari (Sahdei O.P.) P.S. Case No. 220 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)

