

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18267 of 2018

Arising Out of PS.Case No. -12 Year- 2018 Thana -BOCHHA District- MUZAFFARPUR

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1. Aman Tiwari Son of Dharmendra Tiwari Resident of Village- Chak
Abdul Rahman, P.S. Bochahan, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-03-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections-272, 273 & 120(B) and Sections-30(a),
33 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 877.32 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 come in present case on the basis of secret
information as per F.I.R. The source and genuineness of the secret
information 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 877.32 liters wine is recovered from the hut in question. The hut in question does not 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.

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 Special Judge, Excise, Muzaffarpur in connection with Bochahan P.S. Case No. 12 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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