

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18212 of 2018

Arising Out of PS.Case No. -8 Year- 2018 Thana -PANCHRUKHI District- SIWAN

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1. Chunnu Mian, Son of Pheku Mian @ Feku Mian, Resident of Chap Tola,
Teghara Sarai O.P., P.S.- Sarai O.P., District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akshay Lal Pandit

For the State : Mr. Nityanand Tewary, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-03-2018 Counsel for the petitioner is permitted to make necessary
correction in father's name of the petitioner in course of the day.

Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case
registered under Section-272 & 273 of the Indian Penal Code and
Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 11.88 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 co-accused namely, Balmiki Prasad and Md. Akram. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 11.88 liters wine is recovered from an open field in an abandoned state. 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 2nd Additional Sessions Judge, Siwan in connection with Pachrukhi (Sarai) P.S. Case No. 08 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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