

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.19007 of 2018**

Arising Out of PS.Case No. -168 Year- 2017 Thana -CHANDAUTI District- GAYA

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Dhurdhur Paswan

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      02-04-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case registered under Section-3-(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 30 litres 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 on the basis of disclosure made by the local Chowkidar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 30 liters wine is recovered by the bank of the river. 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 Excise Judge, Gaya in connection with Chandauti P.S. Case No. 168 of 2017, 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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