

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8636 of 2018

Arising Out of PS. Case No.-362 Year-2017 Thana- ROHTAS District- Rohtas

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Rabindra Singh @ Rabindra Kumar Singh Son of Banarasi Singh Resident of
Village Madaripur, P.S. Tijauthu Distt. Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamla Kant Pandey

For the Opposite Party/s : Mr. SANJAY KUMAR SINGH

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 30(a), 34 and 37(a)(c) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 3 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 local residents. The name of
local residents, who have named the petitioner, 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 3 liters wine is recovered by the side of the road. 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 Additional District & Sessions Judge Special Judge Excise, Rohtas at Sasaram in connection with Rohtas (Amjhore) P.S. Case No. 362 of 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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