

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19692 of 2018

Arising Out of PS.Case No. -74 Year- 2016 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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1. Prem Patel Son of Late Deba Patel, Resident of Village-Tadhwandpur,
P.S.-Bairiya, District-West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is apprehending his arrest in a case
registered under Section-47(a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, in short, is that 69 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 in course of investigation. As per the
prosecution case, the petitioner is said to be guard of the shop in
question. The contention of the prosecution is denied by the



petitioner. It is alleged that 69 liters wine is recovered from the shop of one Umesh Yadav. 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, West Champaran, Bettiah in connection with Bairiya P.S. Case No. 74 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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