

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22906 of 2018

Arising Out of PS. Case No.-421 Year-2017 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Ravi Prakash, S/o Keshav Kumar Mehta, R/o Krishn Toli, P.S.- Brahampura,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani
For the Opposite Party/s : Mr. Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 143, 144, 158, 290, 414, 272, 273 of the Indian Penal Code, Sections 25(1-b)A, 25-1A, 25-1-AA, 25-1-AAA, 35, 27 of the Arms Act and Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 12.240 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 petitioner is not named in the F.I.R.. His name



has come in course of investigation alleging that he was also present in the said birth day party. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 12.240 liters wine is recovered from the house of co-accused Surendra Rai. 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 not 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 Muzaffarpur Sadar P.S. Case No. 421 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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