

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22919 of 2018

Arising Out of PS. Case No.-16 Year-2018 Thana- CHAURADANO District- East
Champaran

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Nagina Yadav Son of late Dehnuk Rai Resident of Village- Tikuliya , Ward
no. 07 Tikuliya,P.S. Adapur, Distt. East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Opposite Party/s : Mr. Bharat Lal

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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 Sections 272, 273/34 of the I.P.C. and Section
30(A) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 294 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 come on the disclosure of co-accused
Ashahab Alam and Munna Sah. Except for this, there is no other
substantive evidence to suggest the implication of the petitioner



in this case. It is alleged that 294 liters wine is recovered from the car and motorcycle. None of the vehicles in question belongs to the petitioner. 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 4th Addl. Sessions Judge-cum-Special Judge, East Champaran, Motihari in connection with Chhauradano P.S. case No.16 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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