IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23866 of 2018

Arising Out of PS. Case No.-305 Year-2017 Thana- GOVERNMENT OFFICIAL COMP. District- Muzaffarpur

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Ranjan Thakur Son of Ram Sobhit Thakur Resident of Village- Baghnagari, P.S. Saraiya, District- Muzaffarpur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Hari Kishore Thakur
For the Opposite Party/s : Mr. Chaubey Jawahar

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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 30(a), 32(2) and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 785 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 Ramesh Kumar Sah. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 785 liters wine is recovered from a pick up van. The pick up van in question does not belong 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 complaint case.

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 Act, Muzaffarpur in connection with P.R. 38/17-18, Excise case No.305 of 2017, 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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