

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3990 of 2018

Arising Out of PS. Case No.-49 Year-2017 Thana- KOTWALI District- Munger

Md. Sazid Ahmad @ Sazid Ahmad S/o Md. Shahzad R/o Mohalla Tope
Khana Bazar, P.S. - Kotwali, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Mohammad Shabbir Alam
For the Opposite Party/s : Mr. SANJAY KUMAR SINGH

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

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

The prosecution case, in short, is that the informant and other officials raided the shop and recovered 67 bottles of WFM 1000 Super Strong each containing 600 ml and 27 bottles of 250 ml.

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 as the alleged recovery is said to have been made from the grocery shop of the petitioner.



The product which is said to have been recovered is non-alcoholic beverage. In support of the same, Annexure-4 has been enclosed in the present application. As per the prosecution case also, the mere suspicion has been raised that the said product appears to be alcoholic. There is no finding whether the product in question recovered from the grocery shop of the petitioner is alcoholic/intoxicated. 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, Munger in connection with Kotwali P.S. case No.49 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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