

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60901 of 2017

Arising Out of PS.Case No. -952 Year- 2016 Thana -SA SARAM MUFFSIL District- SASARAM
(ROHTAS)

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1. Munna Chandrabanshi, Son of Kedar Chandrabanshi, Resident of Village- Amara Talab, P.S.- Sasaram (Mufassil), District- Rohtas (Sasaram), Bihar.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajendra Singh

For the Opposite Party/s : Mr. Md. Arif

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case instituted under Sections 47, 47(a), 53(a), 53(b), 54 of Bihar Excise Act, 2016.

The prosecution story, in brief, is that 75 litres of liquor is said to have been recovered.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has come on the basis of confessional statement of co-accused before the police, as per the F.I.R. Except for this, there is no other substantive evidence to



suggest the implication of the petitioner in this case. It is alleged that 75 litres of liquor is recovered by the side of the house of co-accused Mahavir Choudhary. 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 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Sasaram (Muffasil) P.S. Case No.952/2016, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Court, Excise, Rohtas at Sasaram, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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