

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62207 of 2017

Arising Out of PS.Case No. -242 Year- 2016 Thana -PAKARIBARAW District- NAWADA

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Ranjeet Prasad S/o Sahdeo Prasad Yadav @ Sadhu Yadav, R/o Village- Bel
Khunda, P.S.- Dhamaul in the District- Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sushant Kumar, Advocate.

For the Opposite Party : Mr. Rajkishore Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

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

The prosecution story, in brief, is that 121.9 liters
wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case. There is no allegation of tampering with the
witnesses alleged against the petitioner. The petitioner has falsely
been implicated in the present case. The petitioner is not named in
the F.I.R. It is alleged that 121.9 liters wine is recovered from



open field in abandoned stage. The name of the petitioner has come merely on the basis of suspicion. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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 or 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 the learned Additional Sessions Judge-II, Nawada, in connection with Pakribarawan P.S. Case No. 242 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

