

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38863 of 2018

Arising Out of PS.Case No. -76 Year- 2018 Thana -SONBERSA District- SAHARSA

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1. Md. Manjur Alam @ Md. Manjur S/o Md. Karim Alam, resident of
Village- Kashnagar Ward No. 1, P.S. Sonbarsa Raj, Kashnagar O.P.,
District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-07-2018 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 of the Indian Penal Code and
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 13.5 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 transpired in this case as the alleged recovery
has been made from maize field of the petitioner. Except for this,
there is no other substantive evidence to suggest the implication of



the petitioner in this case. It is alleged that 13.5 liters wine is recovered from maize field of the petitioner in an abandoned state. 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 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Saharsa in connection with Sonbarsa Raj (Kashnagar O.P.) P.S. Case No. 76 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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