

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62237 of 2017

Arising Out of PS.Case No. -69 Year- 2017 Thana -HAZIPUR INDUSTRIAL District-
VAISHALI(HAJIPUR)

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1. Rajpal Son of Amarchand Resident of village- Barauda, Police Station-
Jinda, District- Jinda (Haryana).

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Nityanand Tiwari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 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 467, 468, 469, 470, 420 of the Indian
Penal Code and Sections 30, 37 of Bihar Prohibition and Excise
Act, 2016.

The prosecution story, in brief, is that total 2738 litres
of liquor is said to have been recovered from the truck in
question.

It has been submitted on behalf of the petitioners that
the petitioners have got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioners. The name of the petitioners has come on the basis of



confessional statement of co-accused, as per F.I.R. The petitioner is owner of the truck in question. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that total 2738 litres of liquor is recovered from the truck in question. 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 petitioners 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 Industrial Area P.S. case No.69/2017, 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 Judge, Vaishali at Hajipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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