

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41196 of 2018**

Arising Out of PS. Case No.-275 Year-2017 Thana- SHIVSAGAR District- Rohtas

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Ram Ekbal Bind S/o Hira Bind R/o Village - Ulha Barkadi, P.S. - Sheosagar  
(Baddi), District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      16-07-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 30(A)/34/35, 37(b) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 2.250 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired as the alleged recovery is made from the joint house of the petitioner where the other family members also reside. Except for this, there is no other substantive evidence to suggest the implication



of the petitioner in this case. It is alleged that 2.250 liters wine is recovered as per the seizure list. 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 Additional District and Sessions Judge IInd-cum-Special Judge, Rohtas at Sasaram, in connection with Sheosagar (Baddi) P.S. Case No. 275 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

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(Sudhir Singh, J)

