

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39034 of 2018

Arising Out of PS.Case No. -197 Year- 2017 Thana -DIGHA District- PATNA

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1. Lok Nath Rai, Son of Jagarnath Rai, Resident of Mohalla- Yadubanshi
Nagar, Police Station- Digha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parashuram Singh

For the Opposite Party/s : Mr. Smt Renu Kumari

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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 Section 35(A) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, in short, is that 12 liters wine is
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 transpired on the basis
of disclosure made by the co-accused. Except for this, there is no
other substantive evidence to suggest the implication of the
petitioner in this case. It is alleged that 12 liters wine is recovered



by the side of house of the petitioner. 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 Special Judge, Excise, Patna in connection with Digha P.S. Case No. 197 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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