

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42694 of 2018**

Arising Out of PS.Case No. -64 Year- 2018 Thana -KALYANPUR District-  
EASTCHAMPARAN(MOTIHARI)

=====

1. Jagarnath Ram, Son of Lotha Ram, Resident of Village- Siswa Kharar,  
P.S.- Kalyanpur, District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Mr. Manoj Kumar

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

2      19-07-2018                      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), 33 & 37(d) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 10.8 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 against the petitioner. The name of the petitioner has transpired as recovery was made from the vehicle standing in a field situated by side of house 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 10.8 liters wine is recovered from the vehicle in question. The vehicle in question does not belong to 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, Motihari, East Champaran in connection with Kalyanpur P.S. Case No. 64 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V./-

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