

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42734 of 2018

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1. Pravesh Kumar, S/o Suresh Sah, Resident of Village- Najirpur, P.S.-
Ahiyapur, Dist.- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur

For the Opposite Party : Mr. Aditya Narayan Singh 1

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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 Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 2.950 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 the petitioner is owner of the hotel. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 2.950 liters wine is recovered from the hotel in question. The car 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 Act, Muzaffarpur in connection with Ahiyapur P.S. Case No. 503 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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