

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2197 of 2018

Arising Out of PS. Case No.-307 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Saharsa

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Dilip Sah @ Dilip Kumar @ Dilip Kumar Sah son of Rajbal Sah, resident of
village Smraha, Ward No.35, P.S. Saharsa, District Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra
For the Opposite Party/s : Mr. MANOJ KUMAR

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-01-2018 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) of the Bihar Prohibition and
Excise Act, 2016.

Prosecution case, in short, is that 25.875 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 alleged against the petitioner. The
name of the petitioner has come on the basis of disclosure made
by the co-accused as per complaint. Except for this, there is no
other substantive evidence to suggest the implication of the



petitioner in this case. It is alleged that 25.875 liters wine is recovered from the car. 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 complaint.

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 A.D.J. II-cum-Special Judge, Saharsa in connection with Saharsa Special case No.307 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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