

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.59207 of 2017**

Arising Out of PS.Case No. -1031 Year- 2016 Thana -SA SARAM MUFFSIL District- SASARAM  
(ROHTAS)

=====

1. Raju Choudhary, S/o Late Puttu Choudhary, R/o Village- Barhaya  
Bagh, P.S.- Sasaram (Muffasil), District- Rohtas.

.... .... Petitioner

Versus

1. The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Deovind Kumar Singh

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

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

3      08-01-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is apprehending his arrest in a case  
instituted under Sections 47(a), 53(b)/54 of Bihar Prohibition and  
Excise (Amendment) Act, 2016.

The prosecution story, in brief, is that total 157 litres of  
liquor is said to have been recovered from the labour room of  
Nathuni Prajapati.

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 disclosure made by the villagers,  
as per the F.I.R. The name of villagers, who have named the



petitioner, has not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 157 litres of liquor is recovered from labour room of Nathuni Prajapati, 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 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Sasaram (Muffasil) P.S. Case No.1031/2016, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Rohtas at Sasaram, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Amit/-

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