

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46775 of 2018

Arising Out of PS.Case No. -24 Year- 2018 Thana -UDWANTNAGAR District- BHOJPUR

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1. Golu Sah @ Golu Kr. Verma Son of Saram Sah Resident of village-
Gajrajganj, P.S. Udwantnagar, (Gajrajganj), District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections-341, 323, 307, 379, 354(A)(B), 447, 504, 506/34 of the Indian Penal Code and Section-37(B) of the Bihar Prohibition and Excise Act, 2016.

It is a case where no liquor is alleged to have been 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 transpired on the basis of disclosure made by the co-accused namely, Aman Singh. The co-accused is alleged to have been apprehended in a drunken state. No breath analyzer test was conducted to ascertain as to whether the persons are in



drunken state or not. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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 4th A.D.J., Bhojpur, Ara in connection with Excise Case No. 208 of 2018 arising out of Udwanthnagar (G) P.S. Case No. 24 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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