

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49659 of 2018

Arising Out of PS.Case No. -105 Year- 2018 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

=====

Bhagat Mahto S/o Late Bhola Mahto, R/o Dhangar Toli, P.S.- Ramnagar,
District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajeet Kumar Bhardwaj

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-08-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case
registered under Sections-30(a) & 38(1) of the Excise Act.

The prosecution case, in short, is that 24 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against the
petitioner. The name of the petitioner has transpired as the alleged
recovery is said to have been made from joint house of the
petitioner where other family members also reside. Except for this,
there is no other substantive evidence to suggest the implication of
the petitioner in this case. It is alleged that 24 liters wine is



recovered from joint house of the petitioner as per 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 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, West Champaran in connection with Ramnagar P.S. Case No. 105 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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