

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48526 of 2018

Arising Out of PS.Case No. -38 Year- 2016 Thana -RAGHOPUR District- VAISHALI(HAJIPUR)

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Lagandeo Rai S/o Late Deo Narain Rai, R/o Vill.- Sukmarpur, P.S.-
Raghopur (Rustampur), Distt.- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Soban Asghar

For the Opposite Party : Mr. Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is apprehending his arrest in a case
registered under Section-47(a) of the Excise Act, 2016.

The prosecution case, in short, is that 60 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 transpired as the alleged recovery is said to have
been made from abandoned joint hut of the petitioner. Except for
this, there is no other substantive evidence to suggest the
implication of the petitioner in this case. It is alleged that 60 liters



wine is recovered from abandoned joint hut in question. 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 Additional Sessions Judge-IIInd-cum-Special Judge, Excise Act, Vaishali at Hajipur in connection with Raghopur (Rustampur) P.S. Case No. 38 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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