

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.256 of 2018

Arising Out of PS.Case No. -347 Year- 2017 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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1. Santosh Chaodhary, son of Kanhaiya Chaudhary, resident of Village-
Nawadih, Police Station- Sugauli, District- East Champaran.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case
instituted under Section 30(a) of Bihar Prohibition and Excise
Act, 2016.

The prosecution story, in brief, is that total 20 litres of
liquor is said to have been 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 come on the secret
information, as per F.I.R. The source and genuineness of secret
information 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 total 20



litres of liquor is recovered from different houses of accused. So far petitioner is concerned, only 4 litres of wine is recovered from joint house of petitioner, where other family members also reside. 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 Sugauli P.S. Case No.347/2017, 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-VII-cum-Special Judge, Excise, East Champaran at Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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