

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.136 of 2018**

Arising Out of PS. Case No.-169 Year-2017 Thana- MUFFASIL District- Aurangabad

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Jaffar Hussain @ Jaffar Ansari, S/o Jabir Ansari, resident of Village-  
Banzari, P.S.- Hariharganj, District- Palamu (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bhaskar Shankar  
For the Opposite Party/s : SMT. ASHA DEVI

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

2      09-01-2018              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 Bihar Prohibition and Excise Act, 2016.

The Prosecution case, in short, is that 560 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 petitioner is alleged to be the owner of the vehicle in question. Prior to institution of the present case, the petitioner had got case instituted in respect to theft of vehicle in question. Except for this, there is no other substantive evidence to suggest the



implication of the petitioner in this case. It is alleged that 560 liters wine is recovered from the car 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 not 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 VII-cum-Special Judge (Excise), Aurangabad in connection with Muffasil P.S. case No.169 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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