

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.573 of 2018**

Arising Out of PS.Case No. -45 Year- 2017 Thana -SONPUR RAIL P.S. District- SARAN

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1. Raj Karan Singh @ Binod Singh, S/o Late Shiv Dayal Singh, Village-  
Jurawanpur, P.S.- Jurawanpur, District- Vaishali.

.... .... Petitioner

Versus

1. The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Bishwajeet Singh

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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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 63 litres of liquor  
is said to have been recovered from railway platform.

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 not named in the F.I.R. The name of the petitioner  
has come on the basis of disclosure made by the co-accused  
before the police, as per F.I.R. Except for this, there is no other



substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 63 litres of liquor is recovered from railway platform. 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 not 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 Sonapur Rail P.S. Case No.45/2017, 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-VI, Saran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Amit/-

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