

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.578 of 2018**

Arising Out of PS.Case No. -163 Year- 2017 Thana -SARAI District- VAISHALI(HAJIPUR)

=====

1. Sudhir Kumar @ Laddu, Son of Kamleshwar Sah, Resident of Village-  
Anayatpur Prabodhi, P.s.- Sarai, Dist- Vaishali.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Bharat Bhushan

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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 58.620 litres of  
wine is said to have been 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 come on the basis of secret information, as  
per F.I.R. The source and genuineness of the 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 58.620 litres of wine is recovered from open field at the back of the house of petitioner. 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 Sarai P.S. Case No.163/2017, 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-II-cum-Special Judge, Vaishali at Hajipur, 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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