

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54500 of 2018

Arising Out of PS. Case No.-552 Year-2018 Thana- AHYAPUR District- Muzaffarpur

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Ramprit Choudhary S/o Ram Lagan Choudhary, R/o Vill.- Baigana, P.S.-
Aurari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan
For the Opposite Party/s : Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-10-2018 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(i), 41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1394 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 made from the pick up van belonging to the petitioner. The same is run as public carrier by the driver of the petitioner. The petitioner had no knowledge regarding the nature of goods booked by the transporter. Except for this, there



is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 1394 liters wine is recovered out of which 729 liters wine is recovered from the pick up van in question. Remaining quantity was recovered from the house of the co-accused. 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./complaint case.

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 Special Judge, Excise Act, Muzaffarpur in connection with Ahiyapur P.S. Case No. 552 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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