

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62272 of 2018

Arising Out of PS.Case No. -190 Year- 2018 Thana -RAJPUR District- BUXAR

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Anup Ram, S/o Kailash Ram, Resident of Village-Raghunathpur, Police
Station-Rajpur, District-Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishwanand Upadhyay

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-10-2018 Heard learned counsel for the petitioner and learned APP
for the State.

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

The prosecution case, in short, is that 12.6 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 come in this case as the alleged recovery is said
to have been made by the side of egg shop of the petitioner.
Except for this, there is no other substantive evidence to suggest
the implication of the petitioner in this case. It is alleged that 12.6



liters wine is recovered by the side of the egg shop of the 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 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is 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 2nd Additional Sessions Judge-cum-Special Judge, (Excise), Buxar in connection with Rajpur P.S. Case No. 190 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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