

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62337 of 2018

Arising Out of PS.Case No. -103 Year- 2018 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. Madan Kunwar, Son of late Pahari Kunwar, Resident of Village-
Jharharwa, Belaura, P.S.-Ramnagar, District-West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Parmanand Kumar

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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 4 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against the
petitioner. The name of the petitioner has transpired as the alleged
recovery is said to have been made from joint house of the
petitioner where other family members also reside. Except for this,
there is no other substantive evidence to suggest the implication of



the petitioner in this case. It is alleged that 4 liters wine is recovered from joint house 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 Special Judge, Excise, Bettiah, West Champaran in connection with Ramnagar P.S. Case No. 103 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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