

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66821 of 2018

Arising Out of PS. Case No.-387 Year-2018 Thana- TURKAULIYA District- East
Champaran

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Dinesh Thakur, S/o Rupnarayan Thakur, R/o Semra Bhumihari Tola, P.S.-
Turkawalia Dist- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2
For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-11-2018 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), 35(a), 38(i), 38(2) and 41(i) of
the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 583.92 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 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 583.92 liters wine is recovered from the abandoned hut of Ramadhar Rai. 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 7th Additional Sessions Judge -cum- Special Judge, Excise, East Champaran at Motihari in connection with Turkawalia P.S. Case No. 387/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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