

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70831 of 2018

Arising Out of PS. Case No.-6 Year-2013 Thana- GOVERNMENT OFFICIAL COMP.
District- Saran

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Brij Rai, S/o Late Sugar Rai, Resident of Village-Singar Tola, P.S. Revilganj,
District-Saran at Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh
For the Opposite Party/s : Mr. Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-11-2018 Heard learned counsel for the petitioner and learned APP
for the State.

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

The prosecution case, in short, is that 140 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 in this case
on the basis of disclosure made by the local residents. The name
of the local residents, who have named the petitioner, 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 140 liters wine is recovered by the side of bank of a river. 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 Vith A.D.J., Saran at Chapra, in connection with Excise Case No. 06 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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