

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70525 of 2018

Arising Out of PS. Case No.-428 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Sunil Chaudhary Son of Baidhnath Chaudhary Resident of Village-
Berbas, Police Station Dumra, Distt.-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
For the Opposite Party/s : Mr. Sanjay Kumar Pandey

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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 10 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
as the bamboo clamp in question belongs to the joint family 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 10 liters wine is recovered from the bamboo clamp in question. 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 A.D.J.II-cum-Special Judge, Excise Act, Sitamarhi in connection with Complaint Case No. C-2/428 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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