

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25818 of 2018

Arising Out of PS.Case No. -273 Year- 2017 Thana -CHARPOKHARI District- BHOJPUR

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Ajay Yadav @ Ajay Singh, S/o Lalan Singh, Resident of Village- Dewarhi,
Police Station- Charpokhari, District- Bhojpur, Ara.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajiva Ranjan, Advocate.

For the State : Mr. C. Jawahar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Section 37(c) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution story, in brief, is that co-accused
Sonu Kumar was apprehended in drunken state and he alleged that
he consumed wine with this petitioner.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the present
case. The name of the petitioner has come on the basis of



disclosure made by co-accused Sonu Kumar. It is a case where co-accused Sonu Kumar was apprehended in drunken state and he alleged that he consumed wine with the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident.

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 or 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 the learned 4th Additional District & Sessions Judge, Bhojpur, Ara, in connection with Excise Case No. 5823 of 2017, arising out of Charpokhari P.S. Case No. 273 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)