

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65114 of 2018

Arising Out of PS. Case No.- Year- Thana- District- Patna

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Bhola Yadav, S/O Ranjit Yadav @ Ranjit Rai, R/V- Didarganj, P.S. Didarganj,
District-Patna.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Jay Ram Prasad, Advocate
For the Opposite Party : Mr. Tarkeshwar Nath Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-11-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in case for
the offence registered under Sections 30(a), 32(i) and 38(i) of
Bihar Prohibition & Excise Act, 2016.

The prosecution story, in brief, is that total 2217.960
liters wine is said to have been recovered.

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. It is alleged that total 2217.960 liters wine is
recovered from five different vehicles. None of the vehicles in
question belongs to the petitioner. The name of the petitioner



has come in the present case on the basis of alleged recovery made on the basis of disclosure made co-accused Keshari Nandan. 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. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it has been 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 Special Judge, Excise, Patna, in connection with Special Case No. 7226/2018, arising out of Nadi Thana P.R. Case No. 93/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

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