

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.63066 of 2017

Arising Out of PS.Case No. -146 Year- 2017 Thana -SA SARAM MUFFSIL District- SASARAM
(ROHTAS)

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Pradeep Kushwaha, son of Ram Byas Kushwaha @ Vyas Kushwaha,
Resident of Mohadiganj, Police Station: Sasaram (Muffasil), District-
Rohtas.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Chakravarti Singh, Advocate.

For the Opposite Party : Mr. Rajesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-01-2018 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 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution story, in brief, is that 640 liters wine
is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case. There is no allegation of tampering with the
witnesses alleged against the petitioner. It is alleged that 640 liters
wine is recovered from open field in abandoned stage. The name



of the petitioner has come in the present case as the petitioner happens to be *Bataidar* of the land in question. 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 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 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 Additional Sessions Judge-II-cum- Special Court, Excise, Rohtas at Sasaram, in connection with Sasaram(Muffasil) P.S. Case No. 146 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)

