

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62781 of 2017

Arising Out of PS.Case No. -31 Year- 2017 Thana -AGAMKUAN District- PATNA

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1. Santosh Kumar Pandey @ Santosh Pandey, son of Dharamnath Pandey,
Resident of Mohalla M.I.G. Sector- 6, Block No. 3 Flat No. 90 Bahadurpur
Housing Colony, P.S. Agamkuan District- Patna.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

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

The prosecution story, in brief, is that total 13.50 litres
of liquor is said to have been recovered from the front road of the
house of the petitioner.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against
the petitioner. The name of the petitioner has come on the basis of
disclosure made by local residents, as per F.I.R. The name of
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 13.50 litres of liquor is recovered from the front road of the house of petitioner. 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 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Agamkuan P.S. Case No.31/2017, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIII-cum-Special Judge, Excise, Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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