

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2839 of 2018

Arising Out of PS. Case No.- 87, Year- 2017, Thana- Patliputra, District- Patna

Raju Saw S/o Ram Prasad Saw, R/o Village- Lahsuna, P.S.- Masaurhi,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal
For the Opposite Party/s : Mr. BISHESHWAR RAM

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 28-03-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 30(a) and 37(b) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 140 liters toddy 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 as he is owner of the vehicle in question. The vehicle in question is run as public carrier by the driver 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 140 liters toddy is recovered from the vehicle 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./complaint case.

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 8th Additional District & Sessions Judge-cum- Special Judge, Excise, Patna in connection with Patliputra P.R. Case No. 87/2017 (Special Case No. 2800/2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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