

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1894 of 2018

Arising Out of PS.Case No. -323 Year- 2017 Thana -PATNA CITY CHOWK District- PATNA

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Ratan Kumar @ Ratan Yadav @ Ratan Lal Yadav Son of Jagdish Prasad
Yadav Resident of Mangal Talab, Chiktoli, P.S.-Chowk District-Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Kumar, Advocate.

For the Opposite Party : Mr. Dinesh Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-01-2018 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 Sections 272, 273, 353, 30(a), 37(C)
of the Bihar Prohibition and Excise Act, 2016 and 22/27 of the
N.D.P.S. Act.

The prosecution story, in brief, is that 200 ML wine
and 36 pudias Ganja 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 200 ML
wine and 36 pudias Ganja is recovered from co-accused. The



name of the petitioner has come on the basis of disclosure made by the co-accused. 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. as well as Section 42 of NDPS Act.

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 Sessions /Special Judge, Patna, in connection with Spl. Case No. 156 of 2017, arising out of Chowk P.S. Case No. 323 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)

