

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48604 of 2018

Arising Out of PS.Case No. -642 Year- 2018 Thana -SONEPUR District- SARAN

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Randhir Kumar S/o Ram Nath Rai, R/o Vill.- Sahar Diarah (Rahar Diarah),
P.S.- Sonapur, District- Saran (Chapra).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Gajendra Kumar Singh

For the Opposite Party : Mr. Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

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

The prosecution case, in short, is that 89.64 litres wine 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 petitioner is alleged to have been identified by the police party. Neither the petitioner is known to the police party nor the police is known to the petitioner. Hence, identification made by the police



party itself is doubtful. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 89.64 liters wine is recovered from an open field. 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/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 6th A.D.J. Saran at Chapra in connection with Sonepur P.S. Case No. 642 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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