

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47887 of 2018

Arising Out of PS.Case No. -149 Year- 2018 Thana -CHAURADANO District-
EASTCHAMPARAN (MOTIHARI)

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Dilip Prasad S/o Ruplal Sah @ Jhaman Prasad, R/o Vill.- Murli, P.S.-
Chhauradano, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/ : Mr. Sunil Kumar No.Iii

For the Opposite Party/s : Mr. S.M. Rahman

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-08-2018 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 36 liters 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 name of
the petitioner has come on the basis of disclosure made by S.P.O.
Bhagya Narayan Prasad. Except for this, there is no other
substantive evidence to suggest the implication of the petitioner in



this case. It is alleged that 36 liters wine is recovered by the side of the bridge in an abandoned state. 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 7th Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran in connection with Chhauradano P.S. Case No. 149 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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