

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58911 of 2018

Arising Out of PS. Case No.-76 Year-2018 Thana- GHORASAHAN District- East
Champaran

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Baiju Rai S/o Munilal Rai R/o Vill- Pipra, P.S. Ghorasahan (Jitna), Distt. East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-09-2018 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 330.600 liters wine is
recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent and there is no allegation of
tampering of witnesses alleged against the petitioner. The name of
the petitioner has transpired as the motorcycle of the petitioner is said
to have been found at the place of occurrence. There is no recovery
of liquor from the motorcycle 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 330.600 liters wine is



recovered from the tempo and pick up van. None of the vehicles in question belongs to the 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 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 Addl. Sessions Judge-cum-Special Judge, Excise, East Champaran, Motihari in connection with Ghorasahan (Jitna) P.S. case No.76 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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