

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57666 of 2018

Arising Out of PS. Case No.-262 Year-2018 Thana- UDWANTNAGAR District- Bhojpur

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VINAY PASWAN @ VINOY PASWAN Son of Bachan Paswan, Resident of
Village- Gajraj Ganj, P.S. Udawant Nagar, District- Bhojpur (Bhojpur).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta
For the Opposite Party/s : Smt. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-09-2018 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 50 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 transpired as the
abandoned hut in question belonged to joint family 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 50 liters wine is recovered from the abandoned hut belonging to joint family of 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./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 Special Judge, Excise, Bhojpur at Ara in connection with Udwant Nagar (Gajrajganj O.P.) P.S. Case No. 262 of 2018, Excise Case No. 1214 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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