

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65555 of 2018

Arising Out of PS. Case No.-237 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Dilip Rai @ Deelip Kumar, s/o- Modi Rai, r/o- village Harpur Jhakra, P.S.-
Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar
For the Opposite Party/s : Mr. C. Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-10-2018 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 565 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
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 the 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 565 liters wine is recovered from the hut in question 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 Additional Sessions Judge -VI-cum- Special Judge, Excise, Samastipur in connection with Excise P.S. Case No. 237/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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