

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1790 of 2018

Arising Out of PS.Case No. -113 Year- 2017 Thana -ANDHRAMATH District- MADHUBANI

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Amit Yadav @ Amit Kumar Yadav @ Amit Kumar Diwakar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 272, 273 of Indian Penal Code and 30(a)
of Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 600 Milliliters of
Nepali liquor is said to have been recovered from Tata Safari
vehicle.

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 disclosure made by co-accused
before police, as per F.I.R. Except for this, there is no other
substantive evidence to suggest the implication of the petitioner in



this case. It is alleged that 600 Milliliters of Nepali liquor is recovered from Tata Safari in question. The said car belongs to the petitioner and the same was being run as a public carrier by the driver 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 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Andhramath P.S. Case No.113/2017, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Amit/-

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