

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13485 of 2018

Arising Out of PS. Case No.-200 Year-2017 Thana- BAHERI District- Darbhanga

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Ajay Kumar Sah @ Ajay Kumar @ Ajay Kumar Sahu, Son of Sheo Sahu @ Shiv Sahu @ Shiv Kumar Sahu, Resident of Village- Rudhiyam, P.S.- Baheri, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mrs. Guriya Nisha, Advocate
For the State : Smt. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-03-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Section 30Aa) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 7.740 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 disclosure of co-accused Subhash Kumar Yadav. Except for this, there is no other substantive evidence to suggest the implication of the petitioner



in this case. It is alleged that 7.740 liters wine is recovered from co-accused Subhash Kumar Yadav. 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 Special Judge, Darbhanga in connection with Baheri P.S. case No.200 of 2017, G.O. case No.1610 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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