IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14407 of 2018

Arising Out of PS.Case No. -481 Year- 2016 Thana -HAJIPUR SADAR District-VAISHALI(HAJIPUR)

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1. Gabhar Singh @ Gabbar Singh S/o Nand Kumar Singh, R/o Village-Chandi, P.S.- Sadar Hajipur, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Anuj Kumar
For the Opposite Party/s : Mr. Sri Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-03-2018 Heard learned counsel for the petitioner and learned APP for the State.

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

The prosecution case, in short, is that 302 liters wine is recovered.

There is no allegation of tampering of witnesses against the petitioner. The name of the petitioner has transpired on the basis of disclosure made by the co-accused Sahdeo Sah. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 203 liters wine is recovered from three different vehicles in question

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standing in the brick kiln of Anuj Rai. 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 FiR/complaint.

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 District & Sessions Judge-II-cum-Special Judge, Vaishali at Hajipur in connection with Sadar (Hajipur) P.S. Case No. 481 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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