

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18306 of 2018

Arising Out of PS.Case No. -255 Year- 2017 Thana -GOVINDGANJ District -
EASTCHAMPARAN(MOTIHARI)

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1. Pramod Mahto @ Pramod Chaudhary son of Late Fagu Chaudhary
resident of Village - Sirni Bajar, P.S. - Malahi, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections-30(a), 33, 36, 37(c) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in short, is that .720 litre 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 on the basis of disclosure made by the
local residents. The name of local residents, who have named the
petitioner, has not been disclosed by the prosecution. Except for



this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that .720 liter wine is recovered from the house of co-accused namely Mritunjay Sah. 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, Excise, Motihari East Champaran in connection with Govindganj (Malahi) P.S. Case No. 255 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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