

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42212 of 2018

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Rabindra Yadav @ Border Yadav S/o Paras Yadav, R/o Bairiya- P.S.-
Sahodra, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Anis Akhtar

For the Opposite Party : Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

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

The prosecution case, in short, is that 30 litres 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 on the basis
of disclosure made by the local Chowkidar. Except for this, there
is no other substantive evidence to suggest the implication of the
petitioner in this case. It is alleged that 30 liters wine is recovered
from the heap of straw, kept by the side of road. The recovery



place in question does not belong 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 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, Bettiah, West Champaran in connection with Sahodra P.S. Case No. 100 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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