

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45686 of 2018

Arising Out of PS. Case No.-531 Year-2017 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Anil Poddar Son of Naresh Poddar Resident of Village- Jinedpur, Police
Station- Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Aaruni Singh

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-07-2018 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 880 liters wine is
recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent and there is no
allegation of tampering of witnesses alleged against the
petitioner. The petitioner is not named in the F.I.R. His name has
come in course of investigation. It is alleged that the petitioner
was also seen near the place of occurrence. Except for this, there



is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 880 liters wine is recovered from the car including the house of co-accused. The car 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 not 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 Addl. Sessions Judge II-cum-Special Judge, Excise Court, Begusarai in connection with Begusarai Muffasil P.S. case No.531 of 2017 (G.R. No.4319 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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