

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50387 of 2018

Arising Out of PS.Case No. -200 Year- 2018 Thana -GAUTAMBUDHNAGAR District- SIWAN

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Sandeep Sah Son of Lal Babu Sah Resident of Village - Chacho Pali, Police
Station - G.B. Nagar, District Siwan.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 18-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 272, 273, 308 of the Indian Penal Code and Sections-30(a), 38/41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 8.640 litres 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 8.640 liters wine is recovered from the bush by side of the road. 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 2nd Additional District & Sessions Judge-cum-Special Judge, Excise, Siwan in connection with G.B. Nagar P.S. Case No. 200 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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