

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57135 of 2018

Arising Out of PS. Case No.-219 Year-2017 Thana- HUSSAINGANJ District- Siwan

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Aftab Ansari @ Aftab Hussain Son of Hakik Ansari @ Hakik Hussain
resident of village - Panjwar, Police Station - Raghunathpur, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary
For the Opposite Party/s : Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-09-2018 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, 414, 420 of the I.P.C. and Sections 41(i), 30, 36, 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 72.360 liters 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 come on the disclosure of co-accused Anil Kumar Gupta. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 72.360 liters wine is



recovered from the motorcycle. The motorcycle 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 Additional District and Sessions Judge 2nd-cum-Special Judge (Excise), Siwan in connection with Hussainganj P.S. case No.219 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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