

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74922 of 2018

Arising Out of PS. Case No.-62 Year-2018 Thana- MURAR District- Buxar

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Md. Akhtar Ali @ Md. Ahtar @ Akhtar Ali, S/o Late Habib, Resident of
Village-Badaki Sarimpur, P.S. Buxar (I), District-Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyapal Singh

For the Opposite Party/s : Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2018 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 17.28 liters 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 in this case
as he is owner of the motorcycle in question. The said
motorcycle was given to the co-villager for his personal use.
Except for this, there is no other substantive evidence to suggest



the implication of the petitioner in this case. It is alleged that 17.28 liters wine is recovered from the motorcycle in question. 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 A.D.J.-II-cum-Special Judge (Excise), Buxar in connection with Murar P.S. Case No. 62 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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