

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54847 of 2018

Arising Out of PS. Case No.-70 Year-2018 Thana- ANDHRAMATH District- Madhubani

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Ramnarayan Mandal @ Ram Narayan Mandal S/o Late Sitaram Mandal, R/o
Vill.- Dakahi, P.S.- Andhramath, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 25-10-2018 Counsel for the petitioner is permitted to make necessary
correction in paragraph 3 of the petition in the light of the statement
made in the supplementary affidavit in course of the day.

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 of the I.P.C. and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 6.300 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 basis of disclosure made
by the local Dafadar as per F.I.R. Except for this, there is no other
substantive evidence to suggest the implication of the petitioner in



this case. It is alleged that 6.300 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 IInd-cum-Special Excise Act, Madhubani in connection with Andhramath P.S. case No.70 of 2018 corresponding to G.R. No.707 of 2018, 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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