

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62533 of 2017

Arising Out of PS.Case No. -434 Year- 2017 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

=====

1. Naushad S/o Isha Ali Resident of Village-Goriyapatti, P.S. Bagaha,
District- West Champaran.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhay Bhushan Sinha

For the Opposite Party/s : Mr. Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 30(a) of Bihar Prohibition and Excise
Act, 2016.

The prosecution story, in brief, is that 408 litres of
liquor is said to have been recovered from a Sugarcane field in an
abandoned stage.

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 come on the basis of disclosure made by the
villagers, as per the F.I.R. The name of the villagers, 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 408 litres of liquor is recovered from a Sugarcane field in an abandoned stage. 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 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Bagaha P.S. Case No.434/2017, on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Bagaha, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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