

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3115 of 2018

Arising Out of PS. Case No.-454 Year-2017 Thana- BETTIAH CITY District- West
Champaran

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Jiut Prasad @ Jiut Sah, Son of Late Ramjee Sah @ Rambabu Prasad,
Resident of Illam Ram Chowk, Police Station- Bettiah Town, District- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. NAWAL KISHORE PRASAD

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-01-2018 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, 120B of the I.P.C. and Sections 30(c), 35, 37(c), 38, 56 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 917.895 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 as being the owner of a godown, which was leased out to the tenant, namely, Rambabu Prasad and Naushad Kuraishi. Except for this, there is no other



substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 917.895 liters wine is recovered from the godown in question, which was in occupation by the co-accused Rambabu Prasad and Naushad Kuraishi as per seizure list. 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 Special Judge, Excise, Bettiah, District West Champaran in connection with Bettiah Town P.S. case No.454 of 2017, 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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