

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11868 of 2018

Arising Out of PS.Case No. -641 Year- 2017 Thana -SIWAN CITY District- SIWAN

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Anil Kumar Chaudhary, S/o Dashrath Chaudhary, Resident of Village-
Telhatta, P.S. Siwan Town, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Kumar Shrivastava, Advocate.

For the Opposite Party : Mr. Chandrasen Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
13.12.2017 in a case for the offence registered under Sections
30(a), 36 and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 43.2 liters
wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
Charge sheet/prosecution report has been submitted in the present
case. There is no allegation of tampering with the witnesses
alleged against the petitioner. The petitioner has falsely been
implicated in the present case. It is alleged that total 43.2 liters



wine is recovered from the motorcycle and behind the public toilet. The petitioner was not apprehended on the spot. His name has come during the course of investigation. 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/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-cum-Special Judge, Siwan, in connection with Siwan Town P.S. Case No. 641 of 2017.

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(Sudhir Singh, J)

