

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65322 of 2018

Arising Out of PS. Case No.-134 Year-2016 Thana- GOVT. OFFICIAL COMPLAINT CASE
District- Sheikhpura

=====

Bharat Mahto, Son of Late Vishwanath Mahto, Resident of Village-
Sasbahna, Police Station- Ariyari (Kasar O.P.), District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad
For the Opposite Party/s : Mr. Sri Rajballabh Singh

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Section 47(A) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that 470 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 the open
field in question belongs to joint family of the petitioner.
Except for this, there is no other substantive evidence to suggest



the implication of the petitioner in this case. It is alleged that 470 liters wine is recovered from the open field belonging to joint family of the petitioners. The same was leased out to one Praveen Kumar. 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./complaint case.

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 1st Additional District & Sessions Judge -I, Sheikhpura in connection with Complaint Case No. 134(C)2/2016 (Excise Case No. 213/2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

