

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18209 of 2018

Arising Out of PS.Case No. -50 Year- 2017 Thana -GAUNAHA District-
WESTCHAMPARAN(BETTIAH)

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1. Chotelal Ram, Son of Thakur Ram, Resident of Village- Pakari Vishauli,
Ward No.10, Madhopur, P.S.- Gaunaha, District- West Champaran
(Bettiah).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhusudan Kumar

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Section-30(a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, in short, is that 1.5 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 on the basis of disclosure made by co-
villagers, namely Priyanka Devi and Smt. Devi. The petitioner has



been implicated in the present case due to political enmity. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 1.5 liters wine is recovered from an open field in abandoned state. 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, West Champaran, Bettiah in connection with Gaunaha P.S. Case No. 50 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. '

(Sudhir Singh, J)

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