IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6412 of 2018

Arising Out of PS. Case No.-855 Year-2017 Thana- DEHRI TOWN District- Rohtas

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Chhoti Paswan @ Chhotelal Paswan @ Chhotu Paswan, Son of Late Gulabchandra Paswan, Resident of Village-Mathuri Tola, Karbols dehri, Police-Station-Dehri (T), District-Rohtas.

... ... Petitioner/s

Versus

The State of Bihar ... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta
For the Opposite Party/s : Mr. Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 13-04-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 414 of the Indian Penal Code and Section 30(a) (d), 34 and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 150 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 the local residents. The name of local residents, who have named the petitioner, has not been disclosed

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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 150 liters wine is recovered from Ravindra Paswan. 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 2nd Additional District & Sessions Judge, Rohtas, Sasaram in connection with Dehri (Town) P.S. Case No. 855 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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