

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8712 of 2018

Arising Out of PS. Case No.-42 Year-2017 Thana- MAHESI District- East Champaran

Sunil Chaudhary Son of Kamal Chaudhary Resident of Village- Mirjapur, P.S.
Mehasi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : SMT. MADHURI LATA

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-02-2018 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 of the I.P.C. and Section 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 50 liters toddy 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 petitioner is said to be the owner of the Scooty in question. The said Scooty was lent by the petitioner to the co-villager. The petitioner is not named in the F.I.R. His name has come in course of investigation. It is



alleged that 50 liters toddy is recovered from the Scooty in question. 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 not 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, Motihari, East Champaran in connection with Mehshi P.S. case No.42 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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