

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6901 of 2018

Arising Out of PS. Case No.-821 Year-2017 Thana- MOTIHARI TOWN District- East
Champaran

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Arjun Kumar, Son of Prabhu Prasad @ Prabhu Sah, Resident of Village-
Gandhi Nagar Pokhra, P.S.- Motihari Town, Dist- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey

For the Opposite Party/s : Mr. SRI NIRMAL KUMAR SINHA

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 30(a), 41(1) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution case, in short, is that about 15 liters
wine is recovered.

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-accused
Santosh Kumar before the Police. Except for this, there is no
other substantive evidence to suggest the implication of the
petitioner in this case. It is alleged that about 15 liters wine is



recovered from the half constructed house of one Late Devendra Srivastava 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, Motihari, East Champaran in connection with Motihari Town P.S. Case No. 821 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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