

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19769 of 2018

Arising Out of PS.Case No. -184 Year- 2017 Thana -PIPRA District- SUPAUL

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1. Prakash Yadav @ Prakash Kumar S/o Satyanarain Yadav @ Sato Yadav
@ Shatrughan Prasad Yadav, R/o Village- Rampur, P.S.- Pipra, District-
Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-04-2018 Heard learned counsel for the petitioner and learned APP
for the State.

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

The prosecution case, in short, is that 72 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 on the basis of disclosure made by the co-accused namely, Shyam Sundar Sah. Except for this, there is no other substantive evidence to suggest the implication of the



petitioner in this case. It is alleged that 72 liters wine is recovered from the tempo in question. The tempo does not belong to the petitioner. 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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Supaul in connection with Sessions Trial No. 862 of 2017 arising out of Pipra P.S. Case No. 184 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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