

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62428 of 2018

Arising Out of PS.Case No. -297 Year- 2018 Thana -WARISLIGANJ District- NAWADA

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1. Brahmdeo Paswan Son of late Parmeshwar Paswan Resident of Village:
Rasalpur, P.S. Warisaliganj, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh

For the Opposite Party/s : Mr. Binod Kumar 3

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-10-2018 Heard learned counsel for the petitioner and learned APP
for the State.

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

The prosecution case, in short, is that 8 liters wine is recovered.

It has been submitted on behalf of the petitioner that 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 Kaushal Kumar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 8 liters



wine is recovered from the tempo in question. The tempo in question 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 not named in the FIR.

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, Nawada in connection with Warisaliganj P.S. Case No. 297 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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