

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55694 of 2018

Arising Out of PS. Case No.-209 Year-2018 Thana- BARHARA District- Bhojpur

Chandan Sah Son of Krishna Sah Resident of Village - Nathmalpur, P.S.
Barahara, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta
For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 25-10-2018 Heard learned counsel for the petitioner and learned APP
for the State.

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

The prosecution case, in short, is that 39.600 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 come on the disclosure of co-accused Bhola Surhi. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 39.600 liters wine is recovered from the poultry farm. The poultry farm 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. Other co-accused have been granted anticipatory bail vide Cr.Misc.No.40253 of 2018 and Cr.Misc.No.41070 of 2018.

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 Special Judge, Excise, Bhojpur at Ara in connection with Barahara P.S. case No.209 of 2018, Excise case No.904 of 2018, 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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