

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.60479 of 2018

Arising Out of PS.Case No. -119 Year- 2018 Thana -RAGHUNATHPUR District- SIWAN

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RAJAN KUMAR SINGH @ RAJAN SINGH @ UDHARI @ UDHARI
SINGH, S/o Kaushal Kishjor Singh, R/o Vill.- H.No. 1, Barua, P.O. - Ram
Nagar, P.S.- Raghunathpur, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Tiwary, Advocate.

For the Opposite Party : Mr. Rajendra Nath Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-10-2018 Heard learned counsel for the petitioner and learned counsel for
the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 272, 273, 308/34 of the IPC,
30(a), 38(i) and 41(i) of the Bihar Prohibition and Excise Act,
2016.

The prosecution story, in brief, is that total 987.12
liters wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case. There is no allegation of tampering with the
witnesses alleged against the petitioner. It is alleged that total
987.120 liters wine is recovered from open field belongs to



Shambhu Mian. The name of the petitioner has come on the basis of secret information as per F.I.R. The source and genuineness of secret information has not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned Additional Sessions Judge-2nd-cum-Special Judge, Excise, Siwan, in connection with Raghunathpur P.S. Case No. 119 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

