

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41960 of 2018

Arising Out of PS. Case No.-34 Year-2018 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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Bishnu Sah @ Bishnu Dev @ Bishnudev Sah @ Bishundev Sah S/o Late
Shivaji Sah @ Late Shivjee Sah, R/o Mohalla- Ruhela ganj, P.S.- Vishwa
Vidyalaya, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-07-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered
under Sections 420, 201/34 of the I.P.C. and Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that total 746 liters wine is
recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent and there is no allegation of
tampering of witnesses alleged against the petitioner. The name of
the petitioner has transpired as the alleged recovery is made from the
straw house belonging to the joint family of the petitioner. Except for
this, there is no other substantive evidence to suggest the implication
of the petitioner in this case. It is alleged that total 746 liters wine is



recovered from the a pick up van and straw house belonging to the joint family of the petitioner. The pick up van 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 named in the F.I.R./complaint.

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 4th Additional Sessions Judge-cum-Special Judge, Darbhanga in connection with G.O. case No.144 of 2018 corresponding to Vishwa Vidyalaya (L.N.M.U.) P.S. case No.34 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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