

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31172 of 2018**

Arising Out of PS. Case No.-276 Year-2017 Thana- PHULPARAS District- Madhubani

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Pramod Yadav S/o Jagdeo Yadav resident of Village - Phulkahi, P.S. -  
Phulparas, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar Bharti

For the Opposite Party/s : Mr. Satya Nand Shukla

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      19-06-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 272, 273 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 87.6 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 as the alleged recovery is made from the field situated at the back of the house 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 87.6 liters wine is recovered from the field in question in an abandoned state. 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/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 Additional District & Sessions Judge-II-cum- Special Judge, Excise Act, Madhubani in connection with Phulparas P.S. Case No. 276 of 2017 (G.R. No. 893 of 2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

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