

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67620 of 2018

Arising Out of PS.Case No. -99 Year- 2018 Thana -JHANJHARPUR District- MADHUBANI

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1. Md. Anwar Nut @ Anwar Nut, Son of Late Hadish Nut, resident of
Village- Islampur, P.S. - Jhanjharpur, Distt.- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. S. Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-11-2018 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 22.800 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 Om Prakash Yadav. Except
for this, there is no other substantive evidence to suggest the
implication of the petitioner in this case. It is alleged that 22.800



liters wine is recovered from the dicky of the motorcycle. The motorcycle 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.

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, Excise Act, Madhubani in connection with Jhanjharpur P.S. Case No. 99 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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