

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67736 of 2018

Arising Out of PS.Case No. -144 Year- 2018 Thana -PATEPUR District- VAISHALI(HAJIPUR)

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1. Baiju Singh @ Baijnath Singh, Son of Late Wisa Singh, Resident of
Village-Mандаиди, P.S.-Patepur, District-Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Smt. Asha Devi

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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-30(a), 32(ii), 38(ii), 41(i) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 207 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 said to have
been made from Bathan which belongs to 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 207 liters wine is recovered from the Bathan belonging to joint family of 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, Vaishali at Hajipur in connection with Patepur P.S. Case No. 144 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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