

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14353 of 2018

Arising Out of PS.Case No. -339 Year- 2017 Thana -SHIVSAGAR District- SASARAM
(ROHTAS)

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1. Anil Rai S/o Late Chhabila Rai, R/o Village- Rassauli, P.S.- Masarakh
(Pannapur), District- Saran at present behind Malgodwon, Near Station
Bhasaura, P.S.- Marhaurah, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sri Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-03-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Section- 30(a), 38 and 41 the Bihar Prohibition
and Excise Act, 2016.

The prosecution case, in short, is that 3987 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 against the petitioner. The name of the
petitioner has transpired on the basis of disclosure made by the
co-accused Sonu Manjhi. Except for this, there is no other



substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 3987 liters wine is recovered from truck in question. The truck 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 Additional District & Sessions Judge-II-cum-Special Judge (Excise), Rohtas at Sasaram in connection with Sheo Sagar P.S. Case No. 339 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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