

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1537 of 2018

Arising Out of PS.Case No. -197 Year- 2017 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Satendra Yadav @ Satendra Kumar, Son of Ganesh Yadav, Resident of
Village- Dipau, P.S. - Kotwa, District- East Champaran.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case
instituted under Section 30(a) of Bihar Prohibition and Excise
Act, 2016.

The prosecution story, in brief, is that 720 Milliliters of
liquor is said to have been recovered from a motorcycle in
question.

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 come on the disclosure made by co-accused,
as per F.I.R. Except for this, there is no other substantive



evidence to suggest the implication of the petitioner in this case. It is alleged that 720 Milliliters of liquor is recovered from a motorcycle in question. The said 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 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Kotwa P.S. Case No.197/2017, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Motihari, East Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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