

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3071 of 2018

Arising Out of PS. Case No.-144 Year-2017 Thana- NAUBATPUR District- Patna

Vikash Paswan, Son of Vijay Paswan, Resident of Village-Jaitipur, Police Station-Naubatpur, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh
For the Opposite Party/s : SMT. SHARDA KUMARI

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-01-2018 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) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 100 kg of Mahua 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 of 100 kg Mahua is said to have been made from the joint house of the petitioner, where the other family members also reside. Mahua itself does not come within the meaning of intoxicant fit



for human consumption. 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 Additional District Judge VIIIth-cum-Special Judge, Excise, Patna in connection with Naubatpur P.S. case No.144 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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