

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24140 of 2018

Arising Out of PS. Case No.-7 Year-2018 Thana- JANTA BAZAR District- Saran

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Guddu Tiwary @ Tapeswar Tiwary @ Tapeswar Kumar Tiwary Son of
Lalan Tiwary Resident of Village- Harpur Kothi, P.S. Janta Bazar, District-
Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-04-2018 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
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 760.320 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 local Chowkidar. Except for
this, there is no other substantive evidence to suggest the
implication of the petitioner in this case. It is alleged that



760.320 liters wine is recovered from three different places including two cars. None of the vehicles in question 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. Other co-accused has been granted anticipatory bail vide Annexure-2.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

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 6th A.D.J., Saran in connection with Janta Bazar P.S. Case No. 7 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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