

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58195 of 2018

Arising Out of PS. Case No.-493 Year-2017 Thana- MAJHAULIA District- West Champaran

Rajendra Sah, S/o Nathuni Sah, Resident of Village- Bakhariya Patwari Tola,
P.S.- Majhauliya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gauri Shankar Thakur

For the Opposite Party/s : Mr. Sri Mustaque Alam

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-09-2018 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(D) and 32(1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 20 quintals *gur* and 1 kg *nausadar* are recovered in this case.

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 petitioner runs a grocery shop. It is alleged that 20 quintals *gur* and 1 kg *nausadar* are recovered. The aforesaid recovered articles do not come within the meaning of intoxicant. Hence, no offence under the Bihar Prohibition and Excise Act,



2016 is made out against the petitioner. For oblique reasons, the present case has been instituted against the petitioner by the local police.

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 Special Judge, Excise, Bettiah, West Champaran in connection with Majhauriya P.S. Case No. 493/17, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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