

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69915 of 2018

Arising Out of PS. Case No.-150 Year-2018 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Rahul Paswan, S/O Dhodhai Paswan @ Doday Paswan, R/V-Bhasinghpur @
Bhasingpur, Bochaha, P.S. Mohiuddin Nagar, District-Samastipur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Lakshmindra Kumar Yadav, Advocate.
For the Opposite Party : Mr. Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-11-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 30(a) and 37(c) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 42 liters
wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioner. The petitioner has falsely been implicated
in the present case. It is alleged that total 42 liters wine is
recovered from open field in question. The name of the



petitioner has come in the present case on the basis of alleged recovery made from open field belongs to the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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 Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned A.D.J.-VI-cum-Special Judge, Excise, Samastipur, in connection with Mohiuddin Nagar P.S. Case No. 150 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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