

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14342 of 2018

Arising Out of PS.Case No. -342 Year- 2017 Thana -PALASI District- ARRARIA

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1. Rajesh Sah S/o Late Kamdeo Sah, R/o Village- Garahra, Ward No. 9 P.S. Palasi, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Section-272, 273 of the Indian Penal Code and Section-30(G) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 7.8 wine is recovered from open place beside the house of the petitioner.

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 has been named in this case as the recovery was made from open place beside the joint house of the petitioner where other family members also reside. Except for this, there is no other



substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 7.8 liters wine is recovered from open field beside the house of 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.

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 Sessions Judge-II, Araria in connection with Palasi P.S. Case No. 342 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

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