

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68620 of 2018

Arising Out of PS. Case No.-273 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Ram Babu Ray, S/o Late Babu Jugal Ray, R/v Baghara,P.S. Patory (Mohanpur
O.P.),Distt.-Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar, Advocate.
For the Opposite Party : Mr. Amitesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-11-2018 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 Section 30 of Bihar Prohibition and
Excise Act, 2016.

The prosecution story, in brief, is that total 396 liters
wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case. There is no allegation of tampering with the
witnesses alleged against the petitioner. It is alleged that total
396 liters wine is recovered from the cattle shed belongs to joint
family of the petitioner. The name of the petitioner has come in



the present case on the basis of recovery made from the cattle shed belongs to joint family of 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 learned Special Judge, Excise Act-cum-A.D.J.IIIrd, Samastipur in connection with Excise Case No. 273 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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