

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48242 of 2018

Arising Out of PS. Case No.-54 Year-2018 Thana- ASHOK PAPER MILL District-
Darbhanga

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Md. Alamgir, Son of Md. Gulam Kabir @ Md. Gulam Kibriya, Resident of
Village- Padri Chakka, P.S.- Bahadurpur Patore, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Nath Jha

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-08-2018 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(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 156.750 liters wine and 200 pieces of Royal Rhino Grey Board are 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 as the informant (police party) claims to have identified the petitioner. The petitioner is not known to the police party nor the police party known to the petitioner. Hence the identification made by the police party itself is doubtful. Except for this, there is no other substantive evidence to suggest the



implication of the petitioner in this case. It is alleged that 156.750 liters wine and 200 pieces of Royal Rhino Grey Board are recovered from the truck. The truck in question does not 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.

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

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), Darbhanga in connection with G.O. case No.523 of 2018 arising out of Ashok Paper Mill (Pator O.P.) P.S. case No.54 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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