

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25594 of 2018

Arising Out of PS.Case No. -403 Year- 2017 Thana -AMARPUR District- BANKA

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Md. Sajjad, Son of Md. Abdul Hasan Mansuri, Resident of Village-
Shobhanpur (Katoria) P.S.- Amarpur, District- Banka.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Brij Nandad Prasad, Advocate.

For the Opposite Party : Mr. Tarkeshwar Nath Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-04-2018 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(a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution story, in brief, is that total 9.54 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 9.54
liters wine is recovered from a bush which is situated at the back
of Poultry Farm of co-accused Ranjit Kumar Bhagat @ Ranjo



Bhagat. The name of the petitioner has come on the basis of disclosure made by co-accused Ranjit Kumar Bhagat @ Ranjo Bhagat. 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 Court of Additional Sessions Judge-II, Banka, in connection with Amarpur P.S. Case No. 403 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)

