

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44292 of 2018

Arising Out of PS. Case No.-88 Year-2018 Thana- SARAI District- Vaishali

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Dharmendra Rai S/o Late Pavitra Rai @ Ram Pavitra Rai, R/o Vill.- Mahua
Sihrai West , P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma
For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 414, 120B of the I.P.C. and Sections 30(a), 35(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 3817.800 liters wine is 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 come on the disclosure of co-accused Rajesh Kumar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 3817.800 liters wine is 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.

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 IInd-cum-Special Judge, Excise Act, Vaishali, Hajipur in connection with Sarai P.S. case No.88 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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