

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42116 of 2018

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Surendra Chaudhary son of Late Ram Chandra Chaudhary resident of village - Narayanpur, P.S. Barbigaha, and Distt Sheikhpura.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Dr. Anjani Pd. Singh

For the Opposite Party : Mr. Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-07-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 272 & 273 of the Indian Penal Code and Section-47(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 20 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 transpired as the alleged recovery is said to have been made from 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 15 liters wine is



recovered from joint 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-Ist, Sheikhpura in connection with Barbigha P.S. Case No. 317 of 2015, Excise Case No. 618 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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