

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64282 of 2018

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Raja Ram Mandal, S/o Late Lakshami Mandal, Resident of Village J.P.
Colony, Madhubani, Ward No. 14, Police Station+District-Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-10-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Section 30(A) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, in short, is that 343.36 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 on the basis
of disclosure made by the co-accused Md. Gulab. Except for this,
there is no other substantive evidence to suggest the implication of
the petitioner in this case. It is alleged that 343.36 liters wine is
recovered from the Maruti Van. The Maruti Van 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 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Madhubani in connection with G.O. Case No. 136 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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