

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4411 of 2019

Arising Out of PS. Case No.-299 Year-2017 Thana- RAMNAGAR District- West Champaran

Sikendra Mahato @ Sikandar Mahato aged about 33 years (male) son of late
Jalim Mahato @ Guruchal Mahato, resident of village Dhangar Toli
Ramnagar, Police Station Ramnagar, District West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-01-2019 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 2 liters wine is
recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent and there is no
allegation of tampering of witnesses alleged against the
petitioner. The name of the petitioner has transpired as the
alleged recovery is made from the joint house of the petitioner
where the 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 2 liters wine is recovered from the 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 Special Judge (Excise), Bettiah, District West Champaran in connection with Ramnagar P.S. case No.299 of 2017, 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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