

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8853 of 2019

Arising Out of PS. Case No.-130 Year-2018 Thana- SHYAMPUR BHATHA District-
Sheohar

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Lal Babu Rai, Son of-Rameshwar Rai Resident of village- Bhorhan, P.s.-
Shyampur Bhatahan, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Anisur Rahman

For the Opposite Party/s : Mr.Arbind Kumar Pandey(App84)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 19-02-2019 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
30(a) and 47 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 37.5 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-accuseds, namely, Santosh
and Mohan. Except for this, there is no other substantive
evidence to suggest the implication of the petitioner in this case.



It is alleged that 37.5 liters wine is recovered from the car in question. The car 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./complaint case.

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 District & Sessions Judge-cum- Special Judge-II, Sheohar in connection with Shyampur Bhatahan P.S. Case No. 130/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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