

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9442 of 2019

Arising Out of PS. Case No.-414 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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PARMESHWAR RAI @ PRAMESH KUMAR YADAV, aged 32 Years, Son
of Harishchandra Rai, Resident of Village- Saivaiya, P.S.- Kotwa. Distt.-East
Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Umesh Chandra Verma, Advocate.
For the Opposite Party : Mrs. Meena Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

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

The prosecution story, in brief, is that total 30 liters
wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioner. The petitioner has falsely been implicated
in the present case. It is alleged that total 30 liters wine is
recovered from the field situated by the side of joint house of
the petitioner. The name of the petitioner has come in the



present case on the basis of alleged recovery made from the field situated by the side of joint house of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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 or 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 the learned 7th Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran, in connection with Excise Case No. 414 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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