

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12813 of 2019

Arising Out of PS. Case No.-172 Year-2016 Thana- RAJAOLI District- Nawada

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Lala Rajbanshi @ Suresh Rajwanshi @ Lalo Rajbanshi @ Suresh Rajvanshi
S/o Late Dukhan Rajbanshi @ Late Arjun Rajwanshi Resident of Village-
Hardiya, P.S.- Rajauli, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Section 47(a) of the Excise Act.

The prosecution case, in short, is that 25 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 back of the house of the
petitioner. Except for this, there is no other substantive evidence
to suggest the implication of the petitioner in this case. It is



alleged that 25 liters wine is recovered from the open field. The open field 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 A.D.J. IInd-cum-Spl. Judge, Nawada in connection with Rajauli P.S. case No.172 of 2016, 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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