

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12409 of 2019

Arising Out of PS. Case No.-111 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Md. Mahmood @ Mahmood Son of Nijam Resident of House No 1310,
Lakkadpatti, Kutesra, P.S. and District- Muzaffar Nagar (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Mishra
For the Opposite Party/s : Mr.Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 30(a) and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 4878 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 truck in question belongs to the petitioner. Said truck is run as public carrier by the driver 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 4878 liters wine is recovered from the truck in question. 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 complaint case/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, Muzaffarpur in connection with Excise case No.111 of 2018, P.R. No.11/2018-19, 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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