

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14187 of 2019

Arising Out of PS. Case No.-4 Year-2019 Thana- BRAHMPUR District- Buxar *

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Ram Ishwar Yadav @ Ram Ishwar Kumar Yadav @ Rameshwar Kumar
Yadav Son of Bihari Yadav @ Lal Bihari Singh, Resident of village-
Ahirvaran Rai ka Dera, Akalupur,P.S.-Krishna Brahma, District-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Amarendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

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

The prosecution case, in short, is that 19.470 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 19.470 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 A.D.J. II-cum-Special Judge, Excise Act, Buxar in connection with Brahmpur P.S. case No.04 of 2019, 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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