

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18894 of 2019

Arising Out of PS. Case No.-949 Year-2018 Thana- MASAUDHI District- Patna

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Anil Keshari Son of Arjun Prasad Keshari, Resident of Village at present
Kailu-Chak, P.S.- Masaudhi, Dist- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Bindeshwar Prasad Singh

For the Opposite Party/s : Mr.Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 29-03-2019 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)/37(b) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that 5 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. 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-accused Ganauri Keshari.
Except for this, there is no other substantive evidence to suggest
the implication of the petitioner in this case. It is alleged that 5



liters wine is recovered from the motorcycle, in question. The motorcycle, 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 Special Judge, Excise, Patna in connection with Special Case No. 11848 of 2018 arising out of Masaurhi P.S. Case No. 949 of 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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