

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15222 of 2019

Arising Out of PS. Case No.-174 Year-2017 Thana- GUTHANI District- Siwan

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Ram Dular Rajbhar Son of Ramakant Rajbhar Resident of Village - Gyaspur,
P.S.- Gudhani, Distt.- Siwan.

	Versus		 Petitioner/s
The State	of	Bihar	Bihar
... .. Opposite Party/s			

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Appearance :

For the Petitioner/s :	Mr.Ramadhar Shekhar
For the Opposite Party/s :	Mr.Vinod Shanker Modi

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-03-2019 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), 38(a), 41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 13.200 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 come on the basis of disclosure made by the Jivika Bahan as per F.I.R. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 13.200 liters wine is



recovered from the side of the temple. 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, Siwan in connection with Guthani P.S. case No.174 of 2017, 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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