

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16523 of 2019

Arising Out of PS. Case No.-208 Year-2017 Thana- BARUN District- Aurangabad

Moiuddin Chaudhary @ Moinuddin Chaudhary Son of Late Shamsuddin Chaudhary Resident of Village - Jaki Bigha, P.S.- Dehri, Distt.- Rohtas (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-03-2019 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(g), 33 of Bihar Prohibition and Excise Act.

The prosecution case, in short, is that 1176 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 in this case as the car in question belongs to the petitioner. The said car is run as a taxi by 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 1176 liters wine is recovered from the car 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 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 Additional Sessions Judge-VII-cum-Special Judge, Excise, Aurangabad, in connection with CIS No. 1947 of 2018 arising out of Barun P.S. Case No. 208 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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