

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20706 of 2019

Arising Out of PS. Case No.-115 Year-2017 Thana- SIMRI District- Darbhanga

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Nawal Ray @ Nawal Rai @ Nawal Kishore Ray @ Nawal Kishore Rai Son
of Late Harilal Ray Resident of Village - Jhakhra, P.S.- Karja, Distt.-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-04-2019 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 125.490 liters wine is
recovered.

It has been submitted on behalf of the petitioner that there
is no allegation of tampering of witnesses alleged against the
petitioner. The name of the petitioner has come on the disclosure
of co-accused Pankaj Sahni. Except for this, there is no other
substantive evidence to suggest the implication of the petitioner
in this case. It is alleged that 125.490 liters wine is recovered



from the tempo and campus of co-accused Arun Kumar. Tempo 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 4th Additional Sessions Judge-cum-Excise, Darbhanga in connection with Simri P.S. case No.115 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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