

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81267 of 2019

Arising Out of PS. Case No.-225 Year-2019 Thana- KATIHAR MUFFASIL District- Katihar

MD. SOHARAB @ SOHRAB, age 20 years, Male, Son of Md. Rustam,
Resident of Village - Jafarganj, P.S.- Muffasil, Distt.- Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sanjeev Kumar Singh, Advocate.
For the Opposite Party : Mr.Gauri Shankar Gupta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

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

The prosecution story, in brief, is that total 12.520
liters wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioner. The petitioner has falsely been implicated
in the present case. It is alleged that total 12.520 liters wine is
recovered. The name of the petitioner has come in the present
case on the basis of alleged recovery made from joint house of



the petitioner where other family members also reside. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned Additional Sessions Judge-2-cum-Special Judge, Excise, Katihar, in connection with Katihar Muffasil P.S. Case No. 225 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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