

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6383 of 2023

Arising Out of PS. Case No.-252 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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PRIYAMBAR KUMAR Son of Shyam Kishore Ray Resident of Village -
Harpur, Ward No.- 12, P.S.- Barauni (Refinery O.P.), District - Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Anshu Dhar Sharma, Advocate
For the Opposite Party : Mr.Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-04-2023 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 Amendment Act, 2018.

The prosecution case, in short, is that 4.5 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
here is no allegation of tampering of witnesses alleged against
the petitioner. It is alleged that 4.5 liters wine is recovered from
a half constructed house belonging to joint family of the
petitioner. Except for this, there is no other substantive evidence
to suggest the implication of the petitioner in this case. The



Bhatti, 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 twelve 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 Exclusive Special Excise Judge 2, Begusarai in connection with Excise P.S. Case No. 252 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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