

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76794 of 2019**

Arising Out of PS. Case No.-146 Year-2019 Thana- WARISNAGAR District- Samastipur

RAVINDRA RAI, aged about 42 years, (Male), Son of Late Ram Milan Rai,
Resident of Village - Chak Jafar Khajuri, Police station- Kalyanpur, District-
Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Pramod Kumar Singh, Advocate.
For the Opposite Party : Mr.Madhura Nand Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-11-2019 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 5.760 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 5.760 liters wine is recovered from the Mahindra Bolero vehicle in question. The name of the petitioner has come in the present case on the basis of seized vehicle in question. The petitioner is alleged to be the owner of the said vehicle. The said vehicle is run as a Taxi by the driver of the petitioner. 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 nature of goods kept in the Mahindra Bolero vehicle. 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 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Samastipur, in connection with Warisnagar P.S. Case No. 146 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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