

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77541 of 2019

Arising Out of PS. Case No.-165 Year-2019 Thana- KATRA District- Muzaffarpur

NUNU RAI, (Male), aged about 36 years, Son of Mahabir Rai, Resident of Village- Anyaypur, P.S.- Katra, District- Muzaffarpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Shashank Shekhar, Advocate.
For the Opposite Party : Mrs. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-11-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 272, 273 of the IPC and 30(a) and 38(i) of the Bihar Excise and Prohibition Act, 2016.

The prosecution story, in brief, is that total 3955.12 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. 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 3955.12 liters wine is said to have been recovered from three different places including the Bolero Pick-up Van, Truck and



hut. None of three belongs to the petitioner. The name of the petitioner has come in the present case on the basis of disclosure made by local Chaukidar. The petitioner had no knowledge regarding the alleged occurrence. There is no recovery of liquor from conscious possession of the petitioner. There is no compliance of Section 100 of Cr. P.C.

On behalf of the learned counsel for the State, it has been 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 Special Judge, Excise, in connection with Katra P.S. Case No. 165 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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