

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24923 of 2020

Arising Out of PS. Case No.-81 Year-2020 Thana- TARARI District- Bhojpur

SRI YADAV S/o Nandani Yadav Resident of Vill- Mahdeo pur, P.S.- Tarari,
Dist- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr.Arvind Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-10-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks from the date of restoration of normalcy.

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 50 liters wine is
recovered from the public road.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired on the basis of disclosure made by the local Chowkidar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 50 liters wine is recovered from the public road. 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/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 A.D.J.-IV-cum-Special Judge, Excise Bhojpur at Ara in connection with Excise Case No. 701/20, arising out of Tarari P.S. Case No. 81/20, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure.

(Sudhir Singh, J)

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