

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24917 of 2020

Arising Out of PS. Case No.-57 Year-2019 Thana- RAJEPUR District- East Champaran

=====

PRADEEP KUMAR Son of Late Jagdish Rai Resident of Village - Motipur
Junaida, Police Station - Motipur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Arun 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 Sections 272, 273, 420/34 of the Indian Penal Code
and 30(A) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 8800 liters wine is
recovered.

It has been submitted on behalf of the petitioner that 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 co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 8800 liters wine is recovered from the truck and van. 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 Additional Sessions Judge -IX-cum-Special Judge, Excise, East Champaran at Motihari in connection with Rajepur P.S. Case No. 57 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

