

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27855 of 2020

Arising Out of PS. Case No.-78 Year-2020 Thana- BAKHARI District- Begusarai

NEERAJ MAHTO @ NEERAJ VERMA Son of Sri Ram Udgar Verma
Resident of Village - Darhathansingh, P.S.- Bakhri, District - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shaishav Kumar
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-12-2020 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 30(A) of Bihar Prohibition and Excise
Act, 2016.

Prosecution case, in short, is that 981 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 petitioner has falsely been implicated in the present case. The name of the petitioner has come on the basis of disclosure made by the local residents as per F.I.R. The name of local residents, who have named the petitioner, has not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 981 liters wine is recovered from the truck. The truck 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 Additional



Sessions Judge II-cum-Special Judge, Excise Act, Begusarai in connection with Bakhri P.S. case NO.78 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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