

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24963 of 2020

Arising Out of PS. Case No.-51 Year-2020 Thana- CHAKIA District- East Champaran

VIRENDRA SAH, aged about 30 years, Male, S/o Rameshwar Sah,
Resident of Village- Daya Chhapra, P.S.- Chakia, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Priyesh Kumar, Advocate.

For the Opposite Party : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-10-2020 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 after restoration of normalcy.

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 offences registered under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.



The prosecution case, in short, is that total 2730.24 liters wine is said to have been recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against him. Total 2730.24 liters wine is said to have been recovered from the house of the brother of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. Nothing incriminating article 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 of 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 of the case, the petitioner in the event of arrest or 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 VIIth Additional Sessions Judge-cum-Special Judge, Excise, East Champaran at



Motihari in connection with Chakia P.S. Case No. 51/2020,
subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Sudhir Singh, J)

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