

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29687 of 2020

Arising Out of PS. Case No.-219 Year-2019 Thana- JAMOBABAZAR District- Siwan

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NAGENDRA PRASAD @ NAGENDRA PAL S/o Vishwanath Prasad
Resident of Village- Pachpatiya Barhoga, P.O.- Hariharpur Kala, P.S.- Jambhaz,
District- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Dubey

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-12-2020 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 defect(s), as pointed out by the office, within a
period of four weeks after 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, 308/34 of the Indian Penal
Code and Section-30(a) of the Bihar Prohibition and Excise Act,



2016.

The prosecution case, in short, is that 327 liters wine is recovered.

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. It is alleged that 327 liters wine is recovered from the field of co-accused Naresh Mahto, Kashinath Singh and Nand Kishore Singh. 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-cum-Special Judge, Excise Act, Siwan in connection with Jamo Bazar P.S. Case No. 219 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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