

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31258 of 2020

Arising Out of PS. Case No.-267 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

ANIL KUMAR, aged about 26 years (Male), Son of Rambali Mahto, R/o
Lalbandi, Ward No.10, P.S.- Sonbarsa, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ashok Kumar Jha, Advocate.
For the Opposite Party : Mr. Harendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-12-2020 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 after restoration of normalcy.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution story, in brief, is that total 468 liters
wine is said to have been recovered from possession of the
petitioner.



It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 10.07.2020 and has got no criminal antecedent. Charge sheet/prosecution report has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 468 liters wine is recovered from possession of the petitioner. 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 facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Sitamarhi, in connection with Complaint Case No. C2-267 of 2020.

(Sudhir Singh, J)

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