

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15197 of 2020**

Arising Out of PS. Case No.-268 Year-2019 Thana- CHHAURADANO District- East  
Champaran

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BHOLA PRASAD @ ANISH KUMAR @ ANISH KUMAR YADAV Son of  
Devendra Rai @ Devendra Yadav Resident of Village- Koraiya, P.S.- Adapur  
(Mahuawa), Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Binod Kumar Mishra  
For the Opposite Party/s : Mr.Upendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      11-06-2020                      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.

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

The petitioner is apprehending his arrest in a case  
registered under Section 30(a) of the Bihar Prohibition and  
Excise Act, 2016.

The prosecution case, in short, is that 187 liters wine  
is recovered.

It has been submitted on behalf of the petitioner that



the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 187 liters wine is recovered from the motorcycle. The petitioner is not the owner of the motorcycle in question. 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 complaint case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of Special Judge under Excise Act, East Champaran, Motihari in connection with Mahuawa (Chhauradano) P.S. case No.268 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven



weeks to the satisfaction of the court concerned in connection  
with the aforesaid case.

**(Sudhir Singh, J)**

Narendra/-

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