

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13905 of 2021

Arising Out of PS. Case No.-482 Year-2020 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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VINAY RAI @ VINAY KUMAR YADAV Son of Rajendra Rai Resident of
village - Kushi Station Tola, P.S. Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar Manglam
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-05-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

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.

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

The prosecution case, in short, is that 1624.86 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 been falsely implicated in the



present case. The name of the petitioner has transpired in this case as he is said to be owner of the motorcycle, in question which was parked by side of the place of occurrence. There is no recovery of liquor from the motorcycle, in question. It is alleged that 1624.86 liters wine is recovered from the truck, in question. 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 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 twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Kanti P.S. Case No. 482 of 2020, 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 eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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