

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11672 of 2021

Arising Out of PS. Case No.-141 Year-2020 Thana- RAGHOPUR District- Vaishali

PAWAN RAI @ PAWAN KUMAR S/O SHRI PAPPU RAY R/O VILLAGE-
JAFRABAD TOK, P.S.-RAGHOPUR (RUSTAMPUR OP), DISTRICT-
VAISHALI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mayank Rukhaiyar

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-05-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

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 85 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. The name of the petitioner has transpired in this case on the basis of disclosure made by local chowkidar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 85 liters wine is recovered from bank of



the river. 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Vaishali at Hajipur in connection with Raghapur (Rustampur O.P.) P.S. Case No. 14 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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