

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15791 of 2021**

Arising Out of PS. Case No.-188 Year-2020 Thana- PARASBIGHA District- Jehanabad

ASHOK KUMAR S/o Daroga Yadav R/o village- Punit Bihga, P.S.-  
Parasbigha, District- Jehanabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.A.G.

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

2      27-07-2021                      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 Sections-30(a) & 30(d) of the Bihar Prohibition  
and Excise Act, 2018.

The prosecution case, in short, is that 45 liters Jawa  
Mahua is recovered.

It has been submitted on behalf of the petitioner that  
petitioner has got no criminal antecedent. There is no allegation  
of tampering of witnesses alleged against him. He has been  
falsely implicated in the present case. It is alleged that 45 litres



wine is recovered from the bank of the river in an abandoned state. The name of the petitioner has transpired in this case on the basis of secret information. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. 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, Jehanabad in connection with Excise Case No. 1017 of 020 arising out of Parasbigha P.S. Case No. 188 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)**

A.K.V.//-

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