

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11702 of 2021

Arising Out of PS. Case No.-67 Year-2020 Thana- CHORAUT District- Sitamarhi

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MADAN PANJIYAR S/O LATE CHANDRA PANJIYAR R/O VILLAGE-
VARMA, P.S.-CHORAUT, DISTRICT-SITAMARHI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Pathak

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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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 (Amendment) Act, 2016.

The prosecution case, in short, is that 750 ml. 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 petitioner has been falsely implicated in the present case. The name of the petitioner transpired in this case on the basis of disclosure made by the local residents. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 750 ml. wine is recovered from 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 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, Sitamarhi in connection with Choraut P.S. Case No. 67 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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