

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.18187 of 2021**

Arising Out of PS. Case No.-212 Year-2020 Thana- GAYA KOTWALI District- Gaya

MD MINHAJ@SETH JEE@MINHAJUDDIN SON OF MD. ANWAR  
RESIDENT OF VILLAGE- PANCHAYATI AKHARA EKBAL NAGAR,  
NEAR PANI TANKI, P.S.- KOTWALI, DISTRICT- GAYA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Sinha  
For the Opposite Party/s : Mr. C. Jawahar, APP

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

2      05-04-2021                      Heard learned counsel for the petitioner and learned APP  
for the State through virtual mode.

Learned counsel for the petitioner is directed to remove  
the defects, as pointed out by the Office, within a period of four  
weeks.

The petitioner is apprehending his arrest in a case  
registered under Sections 30(a) and 37(ii) of the Bihar Prohibition  
and Excise Act, 2016.

The prosecution case, in short, is that 20 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 name of the petitioner has come on the basis of secret  
information as per F.I.R. The source and genuineness of the secret



information has not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 20 liters wine is recovered from the joint house of the petitioner where other family members also reside. 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./complaint case.

Considering the aforesaid facts and circumstances, 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 furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya in connection with Kotwali P.S. Case No. 212/20, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

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