

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17865 of 2021

Arising Out of PS. Case No.-338 Year-2020 Thana- BAUSI District- Purnia

ANIL KUMAR YADAV, aged about 41 years (M), Son of Sri Harinandan Yadav, Resident of Village - Latauna, Uttar Trivenigaj, P.S.- Triveniganj, District – Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Amit Kumar Anand, Advocate.
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-08-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned counsel for the State through virtual mode.

The petitioner is apprehending his arrest in connection with Special Excise Case No. 626 of 2020, arising out of Baisi P.S. Case No. 338 of 2020 for the offence registered under Sections 272, 273 of the I.P.C. and Sections 30(a), 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 189 liters wine is recovered from the Scorpio vehicle in question.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 189 liters wine is recovered from the Scorpio vehicle in question. The petitioner is alleged to be the owner of the Scorpio vehicle in question. The said vehicle is run as Public Transport. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this 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/ Complaint Case.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or 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 the learned Special Judge, Excise Act, Purnea, in connection with Special Excise Case No. 626 of 2020, arising out of Baisi P.S. Case No. 338 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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