

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.18147 of 2021**

Arising Out of PS. Case No.-274 Year-2020 Thana- JAHANABAD District- Jehanabad

DEEPAK KUMAR Son of Hariom Yadav @ Sunil Kumar Resident of  
Village- Gaurachhani, P.S.- Jehanabad, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Gajendra Kumar Singh  
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(b) of the Bihar Prohibition  
and Excise Act, 2016.

The prosecution case, in short, is that 37.5 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 on the basis of disclosure made by the  
co-accused. Except for this, there is no other substantive evidence to



suggest the implication of the petitioner in this case. It is alleged that 37.5 liters wine is recovered from different places. 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 Additional Sessions Judge -II, Jehanabad-cum-Special Judge, Excise Act, Jehanabad in connection with Excise Case No. 416 of 2020 arising out of Jehanabad P.S. Case No. 274 of 2020, 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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