

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19344 of 2021

Arising Out of PS. Case No.-160 Year-2020 Thana- JADOPUR District- Gopalganj

HARENDRA YADAV Son of Late Munshi Yadav Resident of Village -
Tirbirwa, P.S. - Gopalganj Town, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-06-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

The supplemental affidavit has been filed on behalf of
the petitioner. Let the same be kept on record.

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 Section-30(a) of the Bihar Prohibition and
Excise Act, 2018.

The prosecution case, in short, is that 380 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 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 co-accused. It is alleged that 380 liters wine is recovered from the boat, in question. The boat, in question does not belong to the petitioner. 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, Gopalganj in connection with Jadopur P.S. Case No. 160 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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