

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19262 of 2021**

Arising Out of PS. Case No.-55 Year-2020 Thana- DURGAWATI District- Kaimur (Bhabua)

RAJESH SONKAR SON OF SARFI SONKAR RESIDENT OF VILLAGE
MADHUPUR LOHARA PS RABARTSGANJ DIST SONBHADRA (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

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.

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
(Amendment) Act, 2016.

The prosecution case, in short, is that 349 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. It is alleged that 349 liters wine is recovered from the car. The
name of the petitioner has transpired in this case as he is said to be
owner of the car in question. The car, in question is run as public



carrier. 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, Kaimur at Bhabua in connection with Durgawati P.S. Case No. 55 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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