

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22697 of 2021**

Arising Out of PS. Case No.-209 Year-2019 Thana- CHAND District- Kaimur (Bhabua)

JAIPRAKASH AGRAWAL @ JAI PRAKASH AGARWAL S/O LATE R.K. AGRAWAL R/O VILLAGE FLAT NO 302, G.P.S. TOWER, SANKAT MOCHAN TRIMUHANI VARANASI, P.S-LANKA, DISTRICT-VARANASI (U.P) 221005.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-04-2021 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 Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 6 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 as being



owner of the car in question. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 6 liters wine is recovered from the car in question. 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 eight 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 A.D.J.-II, Kaimur at Bhabua in connection with Chand P.S. Case No. 209 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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