

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23277 of 2021

Arising Out of PS. Case No.-573 Year-2020 Thana- CHAPRA MUFFASIL District- Saran

SONU KUMAR, Male, aged about 25 years, Son of Sri Lalan Manjhi, Resident of Village- East Hem Nagar, Siyarmarawam, P.S.- Chapra (Muffasil), District- Saran at Chapra. Presently Residing at Village- Ram Nagar, Sanrha, P.S.- Chapra (Muffasil), District- Saran at Chapra. (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-12-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of eight weeks.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Chapra (Muffasil) P.S. Case No. 573 of 2020 for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 15 liters wine is recovered from the hut situated in front of the house of co-accused.

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 15 liters wine is recovered from the hut situated in front of the house of the co-accused. The name of the petitioner has transpired in the present case on the basis of secret information. The source and genuineness of secret information has not been disclosed by the prosecution. 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 furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



the learned IInd Additional Sessions Judge-cum-Special Judge,
Excise, Saran at Chapra, in connection with Chapra (Muffasil)
P.S. Case No. 573 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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