

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23918 of 2021

Arising Out of PS. Case No.-228 Year-2020 Thana- JAYNAGAR District- Madhubani

Sachin Kumar Das, aged about 22 years (Male), Son Of Vinod Das, R/O
Village- Kuar, P.S.- Jaynagar, District- Madhubani.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ravi Prakash, Advocate
For the Opposite Party : Mr. C. Jawahar, A.P.P.

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 Jaynagar P.S. Case No. 228 of 2020, G.R. No. 795 of 2020
for the offence registered under Sections 272, 273, 414, 290/34
of the I.P.C. and Sections 30(a) and 37(c) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 1.2 liters
wine is recovered from the Motorcycle in question.

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 1.2 liters wine is recovered from the Motorcycle in question. The Motorcycle in question does not belong to the petitioner. The name of the petitioner has transpired in the present case on the basis of disclosure made by co-accused. 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani, in connection with Jaynagar P.S. Case



No. 228 of 2020, G.R. No. 795 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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