

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23946 of 2021

Arising Out of PS. Case No.-303 Year-2019 Thana- BELAGANJ District- Gaya

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Dablu Kumar, (age 29 years, Gender-Male), Son Of Baleshwar Prasad Singh,
R/O Village- Khemanichak, P.S.- Patrakarnagar, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Man Mohan Kumar, Advocate

For the Opposite Party : Mr. A.G.

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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 Belaganj P.S. Case No. 303 of 2019 for the offence
registered under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution story, in brief, is that total 198.540
liters wine is recovered from the car of the petitioner.



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 198.540 liters wine is recovered from the car in question. The petitioner is alleged to be the owner of the car in question. The said car is run as a public carrier. 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 nature of goods kept in the car in question. 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 Special Judge, Excise Act, Gaya, in connection with



Belaganj P.S. Case No. 303 of 2019, subject to the conditions as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

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