

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26213 of 2021

Arising Out of PS. Case No.-50 Year-2021 Thana- JAKKANPUR District- Patna

Suraj Kumar Son Of Lalan Kumar R/O Road No 4, Postal Park, Kayasth Toli,
P.S- Jakkanpur, Dist- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1, Advocate
For the Opposite Party/s : Mrs.Pushpa Sinha 1, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-08-2021 Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

The petitioner is apprehending his arrest in connection with Jakkanpur P.S. case No.50/2021 registered under Sections 30(a)/36/41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 7.500 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this case. The name of the petitioner has transpired in this case on the basis of disclosure made by the local residents as per F.I.R. The names of local residents, who have named the petitioner, have 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. It is alleged that 7.500 liters wine is recovered from the side of the road. The petitioner had no knowledge regarding the alleged incident. Nothing incriminating has been recovered from the conscious possession of the petitioner. 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 complaint case/F.I.R.

Considering the facts and circumstances of the case and also the lockdown, 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 his personal bond to the satisfaction of learned Special Judge, Excise, Patna in connection with Jakkanpur P.S. case No.50/2021, 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)

Narendra/-

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