

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26736 of 2021

Arising Out of PS. Case No.-544 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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ADIL, aged about 22 years (M), S/O Mujahid Hussain, R/o village- Kherpur
Satpura, P.S.- Sambhal, District- Sambhal (U.P.)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of four weeks from the date of restoration of normalcy.

Further, learned counsel for the petitioner is permitted

to make necessary correction in the prayer portion of the bail

application.

Heard learned counsel for the petitioner and learned

counsel for the State through virtual mode.

The petitioner is apprehending his arrest in a case for

the offence registered under Sections 30(a) and 38(2) of the

Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 805 liters

spirit is recovered from the Truck 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 805 liters spirit is recovered from the Truck in question. The petitioner is alleged to be the owner of the Truck in question. The petitioner had no knowledge regarding the nature of goods booked by the Transporter. 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. 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 his personal bond to the satisfaction of the learned Special Judge, Excise, Motihari, East Champaran, in connection with Excise Case No. 544 of 2019, 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)

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