

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29533 of 2021

Arising Out of PS. Case No.-261 Year-2020 Thana- MANIYARI District- Muzaffarpur

NITESH SINGH, aged about 28 years (Male), Son of Ram Briksh Singh,
Resident of Village - Kalyanpur, P.S. - Maniyari, District- Muzaffarpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Hari Kishore Thakur, Advocate
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-08-2021 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.

Heard learned counsel for the petitioner and learned
counsel for the State through virtual mode.

The petitioner is apprehending his arrest in connection
with Maniyari P.S. Case No. 261/2020 for the offence registered
under Sections 272, 273, 290 of the I.P.C. and Sections 30(a),
34, 36, 41 and 56(D) of the Bihar Prohibition and Excise Act,
2016.

The prosecution story, in brief, is that total 1.635 liters
wine is recovered from the bush situated by the side of joint
house 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 1.635 liters wine is recovered from the bush situated by the side of joint house of the petitioner. 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 his personal bond to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur, in connection with Maniyari P.S. Case No. 261 of 2020, 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)

U.K./-

U		T	
---	--	---	--

