

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29652 of 2021

Arising Out of PS. Case No.-308 Year-2020 Thana- SHRIKRISHNAPURI District- Patna

JAI JAI RAI @ JAI JAI KUMAR S/O LATE DEO SHARAN RAI R/O
VILLAGE-BISHUNPUR KASHIPUR, P.S AKILPUR, DISTRICT PATNA
AT PRESENT NORTH OF BASAWAN PARK, P.S-SRI KRISHNA PURI,
DISTRICT PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoranjan Kumar

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-08-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in Sri
Krishnapuri P.S. Case No. 308 of 2020 registered for the
offence under Sections-414/34 of the Indian Penal Code and
Section-30(a) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case, in short, is that 15.825 liters
wine is recovered.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. It is alleged that 15.825 liters wine is recovered from the Gumti and the motorcycle. Neither the Gumti nor the motorcycle belongs to the petitioner. The name of the petitioner has transpired in this case on the basis of secret information. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present 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.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioner, above named, in the event of arrest/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 Act, Patna in connection with Sri Krishnapuri P.S. Case No. 308 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)

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