

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30751 of 2021

Arising Out of PS. Case No.-7 Year-2021 Thana- BAHADURGANJ District- Kishanganj

SHIVAM SALANKI @ SHIVAM @ SHIVAM SOLANKI Son of Dharendra
Solanki Resident of RZ-40AF/F, Side West Sagarpur VTC, Sagarpur, Police
Station- Sagarpur, District- South West Delhi Pin Code- 110046 (State- Delhi)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-08-2021 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 Special
Case No. 15 of 2021 arising out of Bahadurganj P.S. Case No.
07 of 2021 registered for the offence under Sections-272, 273
of the Indian Penal Code and Sections-30(a), 35, 36 & 41 of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 9126.36 liters
wine is recovered.

It has been submitted on behalf of the petitioner that



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 9126.36 liters wine is recovered from five different trucks. The petitioner is said to be owner of one of the trucks, from which, 2859.12 litres wine is said to have been recovered. The petitioner had no knowledge regarding the goods booked by the transporter. 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, 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Kishanganj in connection with Special Case No. 15 of 2021 arising out of Bahadurganj P.S. Case No. 07 of 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)

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