

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29585 of 2021

Arising Out of PS. Case No.-187 Year-2020 Thana- BUXAR INDUSTRIAL District- Buxar

GAURI RAM @ GAURI SHANKAR RAM @ GAURI SHANKAR
KUMAR Son of Hare Ram @ Hareram Ram Resident of Village - Majharia,
P.S.- Buxar (Industrial), District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

Learned counsel for the petitioner is directed to remove
the defects, as pointed out by the Office, within a period of four
weeks after restoration of normalcy.

The petitioner is apprehending his arrest in a case
registered under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that 85.140 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 name of the petitioner has transpired on the



basis of disclosure made by the local residents. 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 85.140 liters wine is recovered from the open field in an abandoned state. 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, 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, Buxar in connection with Buxar (Industrial) P.S. Case No. 187 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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