

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29538 of 2021

Arising Out of PS. Case No.-250 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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Rajnish Kumar, Male, aged about 25 years, S/O Ramadhar Singh, R/O
Village-Iniyar, P.S.-MUFFASIL, Lakho O.P., District Begusarai.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

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

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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 Excise Complaint Case No. 250C-2 of 2018 for the offence
registered under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution story, in brief, is that total 4007.52
liters wine is recovered from the Truck, Pick-up Van and two
Magic Pick-up vehicles in question.

It has been submitted by learned counsel for the



petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that 4007.52 liters wine is recovered from the Truck, Pick-up Van and two Magic Pick-up vehicles in question. None of the vehicles belongs to the petitioner. The name of the petitioner has transpired in the present case on the basis of secret information. The source and genuineness of the secret information has 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. 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 Additional Sessions Judge-II, Begusarai-cum-Special Judge, Bihar



Prohibition and Excise Act, Begusarai, in connection with
Excise Complaint Case No. 250C-2 of 2018, 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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