

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30691 of 2021**

Arising Out of PS. Case No.-1 Year-2021 Thana- LALGANJ District- Vaishali

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JITU KUMAR Son of Umesh Singh Resident of Village- Namidih, P.s.-  
Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Advocate  
For the Opposite Party/s : Smt. Renu Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      21-08-2021                      Heard learned counsel for the petitioner and learned  
APP for the State through virtual mode.

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

The petitioner is apprehending his arrest in connection  
with Lalganj P.S. case No.01/2021 registered under Sections  
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 96.615 liters  
wine is recovered.

It has been submitted on behalf of the petitioner that  
the petitioner has got no criminal antecedent and there is no  
allegation of tampering of witnesses alleged against the  
petitioner. The petitioner has falsely been implicated in this



case. The name of the petitioner has transpired in this case on the basis of secret information as per F.I.R. 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. It is alleged that 96.615 liters wine is recovered from the orchard. The orchard in question does not belong to the petitioner. The petitioner had no knowledge regarding the alleged incident. Nothing incriminating has been recovered from the conscious possession of the petitioner. 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 complaint case/F.I.R.

Considering the facts and circumstances of the case, 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 learned Additional Sessions Judge 2nd-cum-Excise Court, Vaishali at Hajipur in connection with Lalganj P.S. case No.01/2021, 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)**

Narendra/-

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