

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30556 of 2021

Arising Out of PS. Case No.-69 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

=====

SHIV KUMAR Son of Bindeshri Paswan Resident of Ashok Nagar Pokharia,
Ward No.- 36, P.S.- Nagar, District - Begusara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate
For the Opposite Party/s : Mr.Mithilesh Kumar Khare, APP

=====

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 Excise Complaint case No.69C2/2021 registered under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 37.900 liters wine and 325 kgs raw mahua are 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. It is alleged that 37.900



liters wine along with 325 kgs raw mahua are recovered from the side of the pond. The pond 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 II-cum-Special Judge, Excise Act, Begusarai in connection with Excise Complaint case No.69C2/2021, 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.

Narendra/-

(Sudhir Singh, J)

U		T	
---	--	---	--

