

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35653 of 2021

Arising Out of PS. Case No.-88 Year-2021 Thana- MANER District- Patna

PANKAJ KUMAR Son of Munna Rai Resident of Village - Daudpur, P.S.-
Sahpur, Dist.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-09-2021 Heard learned counsel for the petitioner and learned
APP for the State.

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

The petitioner is apprehending his arrest in connection
with Maner P.S. case No.88 of 2021 registered under Sections
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 653.250 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



disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 653.250 liters wine is recovered from the the pick up van. The pick up van 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 furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Court, Excise, Patna in connection with Maner P.S. case No.88 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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