

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34873 of 2021

Arising Out of PS. Case No.-372 Year-2020 Thana- LALGANJ District- Vaishali

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BIPIN RAI @ KUNAL KUMAR SON OF KRISHNA NANDAN RAI @
KRISHNANDAN RAY R/O VILLAGE- JAFRABAD, P.S.- LALGANJ,
DIST.- VAISHALI AT HAJIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Chandra

For the Opposite Party/s : Mrs. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-09-2021 Heard learned counsel for the petitioner and the State.

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

Learned counsel for the petitioner submits that in the
cause, title of the main application, the name of father of the
petitioner has wrongly been mentioned as “*Krishnandan Rai @
Krishnandan Ray*” in place of “*Krishna Nandan Rai @
Krishnandan Ray*”. He prays for correction of father’s name of
the petitioner.

Accordingly, office is directed to correct the name of
the father of the petitioner as referred-above.

The petitioner is apprehending his arrest in Lalganj



P.S. Case No. 372 of 2020 registered for the offence under Section-30(a) of the Bihar Prohibition and Excise Act.

The prosecution case, in short, is that 300 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. It is alleged that 300 liters wine is recovered from the bank of the river. The name of the petitioner has transpired in this case on the basis of secret information. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present 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.

Considering the aforesaid facts and circumstances of the case, let 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



furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 372 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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