

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.32702 of 2021**

Arising Out of PS. Case No.-193 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- Vaishali

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ROHIT KUMAR @ ROCKY S/O MAHESH SAH R/O VILLAGE  
RAMBHADRA, WARD NO. 13, P.S. HAJIPUR TOWN, DISTRICT-  
VAISHALI.

... .. Petitioner/s

Versus

1. The State of Bihar
2. AJIT KUMAR EXCISE INSPECTOR, HAJIPUR AT VAISHALI,  
DISTRICT-VAISHALI.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Dharmendra Kumar Paswan  
For the Opposite Party/s : Mr.A.G.

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

2      26-08-2021                      Heard learned counsel for the petitioner and the State  
through virtual mode.

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

The petitioner is apprehending his arrest in Excise Case  
C2A No. 193 of 2020 registered for the offence under Section-30(a)  
of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 15.6 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 15.6 liters wine is recovered from joint house of the petitioner. 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 his personal bond to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Vaishali at Hajipur in connection with Excise Case C2A No. 193 of 2020, 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)**

A.K.V.//-

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