

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35358 of 2021

Arising Out of PS. Case No.-247 Year-2020 Thana- NARDIGANJ District- Nawada

MANAV CHAUDHARY @ MANNU CHAUDHARY Son of Rajo
Chaudhary Resident of Village - Pesh, P.S.- Nardiganj, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha, 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.

Learned counsel for the petitioner is directed to remove
the defects, as pointed out by the Office, within a period of eight
weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 30(a) and 41 of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that 24 liters wine is
recovered.

It has been submitted on behalf of the petitioner that there
is no allegation of tampering of witnesses alleged against the
petitioner. The name of the petitioner has transpired on the basis of
disclosure made by the local Chowkidar. Except for this, there is no
other substantive evidence to suggest the implication of the petitioner



in this case. It is alleged that 24 liters wine is recovered from the motorcycle in question. The motorcycle in question does not belong to 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./complaint case.

Considering the aforesaid facts and circumstances, 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 bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -II-cum-Special Judge, Nawada in connection with Nardiganj P.S. Case No. 247/20, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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