

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.34362 of 2021**

Arising Out of PS. Case No.-52 Year-2021 Thana- ARA MUFFSIL District- Bhojpur

RAVI SHANKAR KUMAR YADAV Son of Mahesh Yadav Resident of  
Village - Yadavpur , P.S.- Ara Mufassil, Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shiv Prasad Gupta

For the Opposite Party/s : Mr.A.G.

**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.

The petitioner is apprehending his arrest in Ara Muffasil P.S. Case No. 52 of 2021, Excise Case No. 502 of 2021 registered for the offence under Section-30(a) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case, in short, is that 40 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 40 liters wine is recovered from the motorcycle. Though the petitioner is



alleged to be owner of the motorcycle but the same is denied by the petitioner. 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV-cum-Special Judge, Excise Act, Bhojpur at Ara in connection with Ara Muffasil P.S. Case No. 52 of 2021, Excise Case No. 502 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V.//-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

