

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.36050 of 2021**

Arising Out of PS. Case No.-91 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.  
District- Siwan

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AMARJEET YADAV @ MUKHIYA SON OF RUDAL YADAV Resident of  
Village- Pahadpur, P.S.- Barharia, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Arbind Kumar Singh

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

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

ORAL ORDER

2      13-07-2021                      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 a case  
registered under Section-30(a) of the Bihar Prohibition and Excise  
Act, 2016.

The prosecution case, in short, is that 80 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 80  
liters wine is recovered from backside of the house, belonging to  
joint family 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 and also the lockdown, 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, Siwan in connection with Barhariya P.S. Case No. C-III-91 of 2021, 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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