

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36503 of 2021**

Arising Out of PS. Case No.-21 Year-2021 Thana- ARIYARI District- Sheikhpura

RAKESH ROSHAN KUMAR @ VARUN KUMAR, aged about 28 years  
(Male), S/o Sidheshwar Yadav @ Singheshwar Yadav, R/o village- Baruni,  
P.S.- Ariyari (Kasar), District- Sheikhpura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Pramod Kumar Verma, Advocate  
For the Opposite Party : Mr. A.G.

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

3      26-11-2021              Learned counsel for the petitioner is directed to  
remove the defects, as pointed out by the office, within a period  
of eight weeks.

Heard learned counsel for the petitioner and learned  
counsel for the State through Virtual mode.

The petitioner is apprehending his arrest in connection  
with Ariyari P.S. Case No. 21 of 2021 for the offence registered  
under Section 30(a) of the Bihar Prohibition and Excise Act,  
2016.

The prosecution story, in brief, is that total 18 liters  
wine is recovered by the side of the road.

It has been submitted by learned counsel for the  
petitioner that the petitioner has got no criminal antecedent. He



has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that total 18 liters wine is recovered by the side of the road. The name of the petitioner has transpired in the present case on the basis of secret information. The source and genuineness of secret information has not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. 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 of the case, let the petitioner above named, in the event of arrest or 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II, Sheikhpura, in connection with Ariyari P.S. Case No. 21 of 2021, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

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