

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36663 of 2021

Arising Out of PS. Case No.-264 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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RAJKUMAR SAO @ RAJ KUMAR SAW Son of Ghanshyam Saw Resident of Village- Dapok, P.S.- Barhi, District- Hazaribagh (Jharkhand). Presently resident of Village- Atkadih, Bagodar, P.s.- Bagodar, District- Giridih (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-10-2021 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 Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 486 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 name of



the petitioner has transpired as being owner of the pick up van in question. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 486 liters wine is recovered from Bolero pick up van. The said pick up van is used as public carrier. The petitioner had no knowledge regarding the nature of goods booked by the transporter. 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, 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 G.O. Case No. 264/20, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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