

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32792 of 2020

Arising Out of PS. Case No.-79 Year-2020 Thana- MAHUA District- Vaishali

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RAGHAVENDRA ROY @ RAGHAVENDRA KUMAR ROY @ LALU Son
of Daya Nand Roy Resident of Village- Manpura, P.S.- Mahua, District-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vasant Vikas

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 09-02-2021 Learned counsel for the petitioner is directed to

remove the defect(s), as pointed out by the office, within a

period of four weeks.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections-30(A), 32(ii), 34(ii), 38(ii) and 41(i)
of the Bihar Prohibition and Excise Act, 2018.

The prosecution case, in short, is that 3603.06 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 in this case
on the basis of disclosure made by co-accused Chandan Kumar.
Except for this, there is no other substantive evidence to suggest



the implication of the petitioner in the present case. Altogether 3603.06 litres of wine is said to have been recovered on the Pick up Van and the truck in question. The Pick up Van and the truck in question do 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.

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 eight 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, Excise Act, Vaishali at Hajipur in connection with Mahua P.S. Case No. 79 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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