

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39552 of 2021

Arising Out of PS. Case No.-57 Year-2021 Thana- CHAPRA MUFFASIL District- Saran

SHARMA RAI @ SIKANDRA RAI S/o Late Anarasi Rai Resident of Village
- Sadha, P.S. Chapra Muffasil, Distt. - Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rajani Kumari, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-10-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

Further, Counsel for the petitioner is permitted to make necessary correction in paragraph 1 of the bail application.

The petitioner is apprehending his arrest in connection with Chapra Muffasil P.S. case No.57/2021 registered under Sections 272, 273, 324, 353 of I.P.C. and Sections 30(a) and 45 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 990 liters wine is recovered.

It has been submitted on behalf of the petitioner that



the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this case. The name of the petitioner has transpired in this case on disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 990 liters wine is recovered from three different Bhatti situated by the side of the Chawar. The petitioner had no knowledge regarding the alleged incident. 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 complaint case/F.I.R.

Considering the facts and circumstances of the case, 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 learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra in connection with Chapra Muffasil P.S. case No.57/2021, subject



to the conditions as laid down under Section 438(2) of the Code
of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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