

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39556 of 2021**

Arising Out of PS. Case No.-30 Year-2021 Thana- SANOKHAR District- Bhagalpur

Sanoj Kumar S/O Shiv Modi R/O Mohalla-Sikandarpur, Maheshpur, P.S.-
MOJAHIDPUR, District-Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Masleh Uddin Ashraf, Advocate
For the Opposite Party/s : Mr.Humayou Ahmad Khan, 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.

The petitioner is apprehending his arrest in connection
with Sanokhar P.S. case No.30 of 2021 registered under
Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 750 ml 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. It is alleged that 750 ml wine is recovered from the car. The petitioner is the owner of the car in question. Said car is used as public carrier. The petitioner had no knowledge regarding the nature of goods kept in the car. 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 Additional Sessions Judge II-cum-Special Judge, Excise Act, Bhagalpur in connection with Sanokhar P.S. case No.30 of 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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